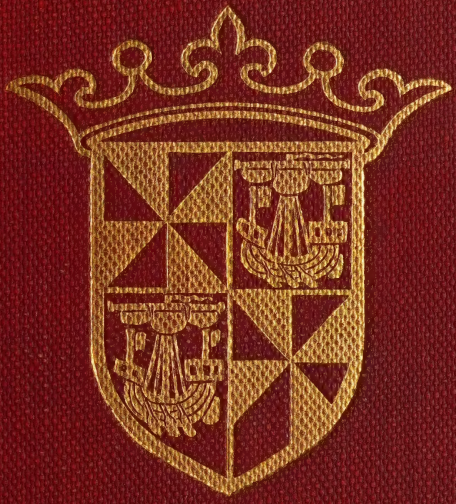


12/6
A491 dup.

Library of The Theological Seminary
PRINCETON · NEW JERSEY

PURCHASED BY THE
MRS. ROBERT LENOX KENNEDY
CHURCH HISTORY FUND

DA804
.I.A69

A SCOTS EARL

IN COVENANTING TIMES

A SEQUEL TO

THE GREAT MARQUESS

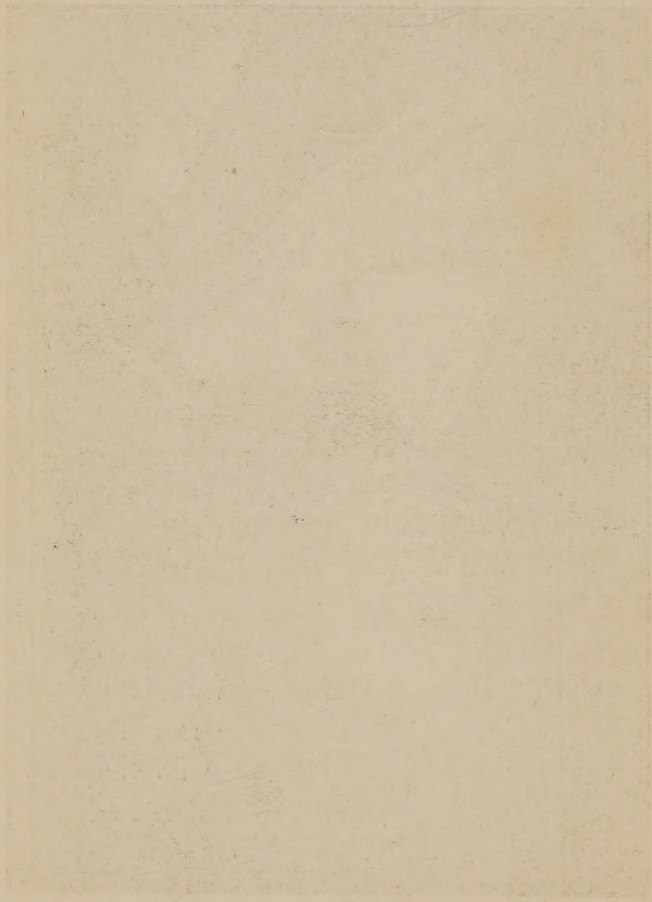
BY THE SAME AUTHOR

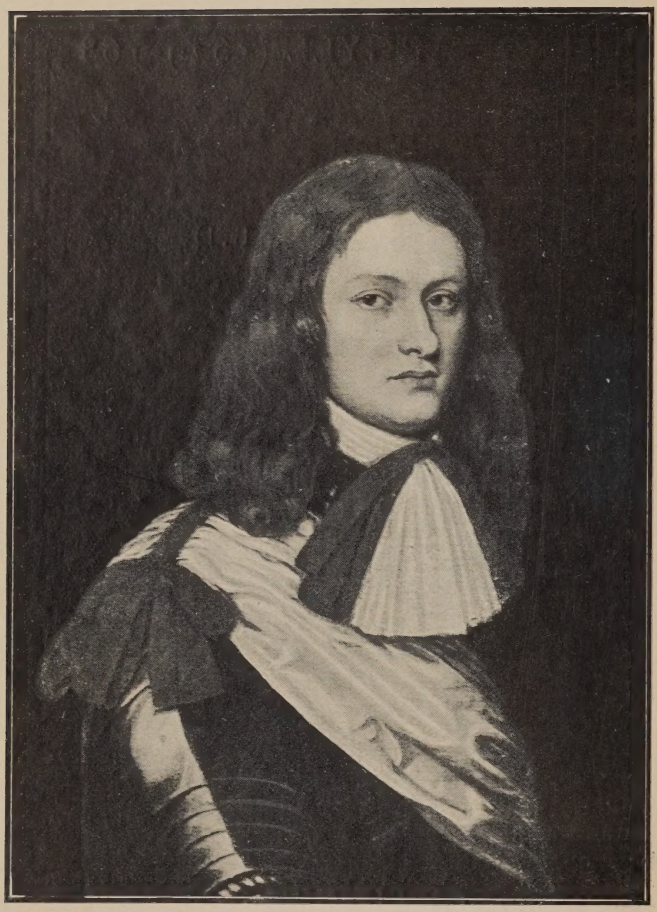
A Shetland Minister of the 18th Century : Being passages in the life of the Rev. John Mill (1712-1805). Second thousand : cloth 2s 6d.

Sir Thomas Urquhart of Cromartie, Knight, (1611-1660) cloth extra, illustrated, 6s.

The Great Marquess : Life and Times of Archibald 8th Earl, and 1st (and only) Marquess of Argyll (1607-1661). Art cloth, 2nd and cheaper edition, 5s net.

OLIPHANT ANDERSON & FERRIER
Edinburgh and London





Archibald, 9th Earl of Argyll.

LIBRARY OF PRINCETON
SEP 15 1960
THEOLOGICAL SEMINARY

A SCOTS EARL

IN COVENANTING TIMES: BEING LIFE AND TIMES OF ARCHIBALD 9TH EARL OF ARGYLL (1629-1685)

BY

JOHN WILLCOCK, B.D. D.D.

F. R. HIST. SOC.

EDINBURGH

ANDREW ELLIOT

17 PRINCES STREET

1907

DEDICATED

BY SPECIAL PERMISSION

TO

JOHN DOUGLAS SUTHERLAND CAMPBELL

9TH DUKE OF ARGYLL, K.T.

God of our fathers! What is man,
That Thou, towards him, with hand so various,
Or might I say contrarious,
Temper'st Thy providence through his short course,
Not evenly, as Thou rulest
The angelic orders, and inferior creatures mute,
Irrational and brute?
Nor do I name of men the common rout,
That, wandering loose about,
Grow up and perish, as the summer fly,
Heads without name, no more remember'd;
But such as Thou hast solemnly elected,
With gifts and graces eminently adorn'd,
To some great work, Thy glory,
And people's safety, which in part they effect;
Yet toward these, thus dignified, Thou oft,
Amidst their height of noon,
Changest Thy countenance, and Thy hand, with no regard
Of highest favours past
From Thee on them, or them to Thee of service.

Milton: *Samson Agonistes.*

Si magnus vir cecidit, magnus jacuit. Non magis illum contemni, quam cum aedium sacrarum ruinae calcantur, quas religiosi aeque ac stantes adorant.

(Seneca, *De Consolatione*, Chapter XIII).

Non tamen pigebit vel inconditâ ac rudi voce memoriam prioris servitutis ac testimonium praesentium bonorum composuisse.

(Tacitus, *Julii Agricolae Vita*).

PREFACE

The reception which our life of the 8th Earl and 1st. and only Marquess of Argyll [1] met with was extremely gratifying to us, and quite in excess of any hopes in connexion with the matter which we were bold enough to form. Many words of kindly appreciation were uttered, even by some who were inclined to form a less favourable opinion of the Covenanting leader than that which we had expressed. Some of our critics resented the use of the title, *The Great Marquess*, as involving an admiration of his character and political career which they were not inclined to render. We think, however, that this is an erroneous idea. Few people would deny that the epithet "great" is applicable to his contemporary, Cromwell, even if they loathed his politics and had but faint respect for his personal character. His mere prominence in public life, won by the exercise of very remarkable intellectual and moral qualities, is sufficient to warrant such a use of the word. We think that the objection to it in the case of Argyll is really based upon misapprehension of the position he occupied for many years in the public life of Scotland. From the depreciatory notices of him

[1] Published by *Oliphant, Anderson and Ferrier*: Edinburgh and London.

in certain quarters, the impression is left on the mind that he was an insignificant personage who played a secondary and by no means heroic part in the events of his time, and that he was more remarkable for petty spitefulness than for any other quality. Such certainly was not the impression left by him upon his contemporaries. They speak of his "Cromwelling it" in Scotland, and thus imply that he was, for a time at least, as prominent in that country as the Protector in England. In a State Paper of the year 1683 the astonishing position held in Scotland by the Marquess of Argyll for many years is vividly described by a writer fiercely hostile towards him. He says: "The Marquess so zealously headed the Covenanters, and so successfully managed their rebellious designs that he was absolute in Scotland during the whole time that the Covenant was the idol of that nation." He further speaks of him as virtually giving Charles II the throne of Scotland in 1650 and he describes the Presbyterian Clergy as being "his slaves."[1] All this implies a strength of will, a boldness of enterprise, and a political sagacity which are not suggested by the figure of a mean and crafty bigot, which writers of a certain school have set before the world as "the counterfeit presentment" of Argyll. The whole purpose of our biography was to depict his complex and most interesting character, and to show the actual place he occupied in the public life of his time. We did not seek to show him to have been a "plaster saint," but set down the faults

[1] *S. P. Dom.* Charles II, Dec. 20th, 1683.

which marred his excellence, as well as the fine moral and spiritual qualities which fitted him to be, for nearly a quarter of a century, the trusted leader of the most devout section of the nation to which he belonged.

In writing the life of the Marquess of Argyll we were declared by some of our critics to be in the position of a barrister holding a brief for a client. In the case of his son, the 9th Earl, no such simile is called for, as the general consensus of public opinion both in his own time and in later generations has been favourable to him. In dealing, therefore, with his character and career we have not had, as in the case of his father, to undeceive the prejudiced and to track down the calumniator as he pursued his devious and unsavoury way.

Our position with regard to the Covenanting party during the period of their depression covered by this volume is very easily stated. Our sympathies most certainly are with those who were deceived and ill-treated by the Government of the Restoration, and especially with that section of them who did what they could to remedy matters and to restore peace by accepting the terms offered by Lauderdale in the various Acts of Indulgence brought in by him. Nevertheless in writing even of the irreconcilable party, whose politics were wholly impracticable and whose temper was often soured by the sufferings to which their resistance of the Government exposed them, we cannot bring ourselves to write with harshness. The Government was so corrupt and cruel that our sympathies

are with those who sought to overthrow it. Of course they took their lives in their hands and could not complain when they forfeited them. Our attitude towards both the agents of the Government and those who assailed it is precisely similar to that which, we suppose, would be taken up by any person of decent character in writing a history of the reign of Ferdinand II (" Bomba ") over the two Sicilies, and of the overthrow of Bourbon tyranny in Southern Italy. He would probably approach his task with the impression on his mind that the willing instruments of so foul a despotism could not be men of a high type of character, and that all attempts by generous and self-sacrificing persons to deliver their country from oppression deserved some measure of admiration. It can scarcely be maintained that the cherishing of an impression of this kind incapacitates one for writing history. Historians are not automata : " if you prick them, they bleed, if you tickle them, they laugh. "

But some may say : " Why should a soldier who dies bravely in the cause of law and order be spurned as a roistering and bloodthirsty miscreant while the gaunt fanatic who gets shot in resisting him is hailed as a martyr ? " To this we would reply that the circumstances leading the latter, a man, we presume, otherwise upright and God-fearing, to take up arms, need explanation ; and also that the career of the former may be found less satisfactory on closer inspection. If a grinding tyranny is to blame for the gauntness and fanaticism, some of the respect usually bestowed upon martyrs is due

to the man who loses his life in resisting it. He falls in a noble cause at any rate. While if the soldier has had no strong conviction of the righteousness of the cause he has defended, and if to boot he has been enriched by the spoils of his victims, he may not have been after all more than a "hired butcher", even if he had a face "such as limners love to paint and ladies to look upon."

The article on the 9th Earl of Argyll in the *D. N. B.* (vol. VIII, p. 329) is the fullest narrative of his career which had previously been written. Our present work will be found to contain a great number of details concerning him which are wholly new. His adventures during the Royalist rising under Glencairn and Middleton in the time of the Commonwealth, the part played by him at the time of the Pentland Hill Rising, and his relations with Lauderdale, are all described with many particulars hitherto unknown; while the circumstances of his trial in 1681, his escape, his relations with Shaftesbury and the Rye-House conspirators, and his invasion of Scotland in 1685 are also recorded at considerable length and with fuller information than, so far as we know, exists elsewhere. In the story of his unsuccessful rebellion and of his death, we have had to go over ground already traversed by Lord Macaulay. Our narrative, however, is quite independent of his and to a certain extent is based on sources which have been opened up since his time.

From the nature of the case a volume like the present could not have been prepared without the co-operation of many interested in the subject and in historical literature.

We are indebted to His Majesty for permission to use the portrait of the Earl of Argyll from a miniature by T. Flatman in the Royal Collection at Windsor.

We have received many valuable suggestions and items of information from the Duke of Argyll, to whom this volume is dedicated. He has also furnished us with the illustration of the Earl's handwriting, with that of the medal struck on his and Monmouth's execution, and also with a copy of the *Diary* of Lady Henrietta Campbell. The original of the latter is among the *Wodrow MSS.* in the Advocates' Library. The document is interesting, both as a record of her personal piety and as containing references to incidents in the history of the family with which she was associated.

Lord Archibald Campbell has also taken a deep interest in the work and in the most painstaking manner has assisted us on several occasions in opening up new sources of information.

We are especially indebted to the great kindness of Niall D. Campbell, Esq., for freely placing at our disposal his MS. collections of documents bearing on the history of his family, and for giving us the benefit of his wide acquaintance with antiquarian and historical lore. Miss Elspeth Campbell, too, has materially assisted us by the loan of privately-printed volumes which throw light on Argyll's expedition in 1685.

We have mentioned in a note on the text our great debt to Dr. A. Taylor Innes's *Studies in Scottish Church History*, and we add here our acknowledgement of that unfailing courtesy in

in giving aid with opinion and information, with which all who know him are so well acquainted.

For the remaining illustrations in the volume our thanks are due to Prof. Firth, Oxford, for the contemporary Dutch engraving of the Earl's capture ; [1] to Lord Balcarres for the portrait which forms our frontispiece ; to the Earl of Ancaster for that of the Duke of Lauderdale ; to the Duke of Bedford for that of Monmouth ; to the Hon. Hew Dalrymple for that of the 1st. Viscount Stair ; to the Trustees of the British Museum for the portrait of the Earl by Loggan and for the curious playing-cards from the unique pack in their possession illustrating Monmouth's expedition ; and to Miss Hunter, Edinburgh, for drawing the map to illustrate the campaign of 1685. In the preparation of this last-named item we have also had the aid of maps and charts and of details of local information furnished by A. Harvie Anderson, Esq., Knockderry, Dumbartonshire. To Alex. O. Curle, Esq., Edinburgh, we are indebted for information regarding an account-book of the Earl's in his possession ; and to J. C. Grierson, Esq., Helendale, Lerwick, for the copy of the portrait of Claverhouse which appears in this volume.

From Messrs. Macmillan and Co. we have received permission to use the engraving of Cooper's miniature of Shaftesbury which appeared in Christie's life of that stateman.

[1] This engraving is from a collection of pictures published at Amsterdam by Adrian Schoonbeck, containing seventy-three plates. It is called *Engelants Schouwtoneel, etc.*, or *Le théâtre d'Angleterre, représentant la fuite de Jacques II, Roy de la Grande Bretagne, son arrivée en Yrlande et autres aventures.* It is in four parts and comes down to 1695.

We gratefully acknowledge the kindness of Sir James B. Paul, Lord Lyon; F. J. Grant, Esq. W.S., Rothesay Herald; and J. M. Thomson, Esq., LL.D., Register House, Edinburgh; for furnishing us with many genealogical details: of Sheriff Moffatt, Falkirk; Sheriff MacKenzie, Kilmarnock; R. C. Haldane, Esq. North Roe, Shetland; and J. A. Fairley, Esq., Edinburgh; for help in the matter of books bearing on our subject: of F. A. H. Eliot, Esq., London; Hew Morrison, Esq., LL.D., Edinburgh; J. Mair, Esq., United Free College Library, Glasgow; G. Stronach, Esq. M.A., Advocates Library, Edinburgh; and Miss Kemp, Edinburgh; for help in looking up references: of J. Small, Esq., and of J. J. H. Burgess, Esq., Lerwick, for information in legal matters and in matters of literary interest respectively: and of J. L. Caw, Esq., of the Scottish National Portrait Gallery, for many items of information with regard to portraits of historical personages of the 17th. Century.

For aid in correcting proofs we render our most cordial thanks to the Rev. A. C. Welch, B. D., Glasgow; the Rev. W. J. Cairns, M. A., Abernethy; to R. S. Rait, New College, Oxford; and the Rev. D. Houston, M. A., Lerwick.

We may explain that a portion of Chapter VI was given as a paper at a meeting of the Royal Historical Society, in May, 1906, and was printed in their Transactions, N.S., vol. XX.

JOHN WILLCOCK.

LERWICK, *July 16th.* 1907.

CONTENTS

PAGES

PREFACE. . . . . vii-xiv

CHAPTER I

Introduction—Birth of Archibald Campbell, afterwards 9th Earl of Argyll—"Fostered" at Glenurquhay—Enters the University of Glasgow 1-17

CHAPTER II

Lord Lorne's foreign travels—Marriage—Becomes Colonel of the Royal Guards—Battle of Dunbar—Lord Lorne returns to Inveraray—Father and son take different sides in politics 18-39

CHAPTER III

Royalist rising in the Highlands—Lord Lorne joins in it—His father's remonstrances with him—The Royalists invade Kintyre—Quarrel between Lord Lorne and Lord Kenmore 40-53

CHAPTER IV

Correspondence with Captain Hill—Royalist leaders dissatisfied with Glencairn—Middleton supersedes him—Monck suppresses the rising—Lord Lorne surrenders to the English Government. . . . 54-74

CHAPTER V

Lord Lorne suspected of intriguing against the Government—Imprisoned in Edinburgh Castle—Meets with a serious accident—Liberated on parole—The Restoration—Trial and Execution of the Marquess of Argyll—Ecclesiastical Parties in Scotland 75-93

PAGES

CHAPTER VI

Sharp's action in the re-introduction of Episcopacy into Scotland—Meeting of Scotch Parliament—Rescissory Act—Deliberations concerning Church-government—Episcopacy decided upon—Bishops appointed 94-114

CHAPTER VII

Intrigues to ruin Lord Lorne—He is supported by Lauderdale—He is accused of Leasing-making and condemned to death—He is imprisoned again in Edinburgh Castle—Severity towards Presbyterian recusants—The Billetting Act—Downfall of Middleton—Lord Lorne released and the Earldom restored to him—The search for the Spanish Treasure. 115-135

CHAPTER VIII

"The Bishops' Drag-net"—Misgovernment of Scotland—Risk of insurrection—*Emeute* in Galloway—Insurgents march to Edinburgh—Defeated at Rullion Green—Argyll's energetic support of the Government—Humiliation of Sharp—Glimpses into Argyll's family life—Death of the Countess of Argyll 136-157

CHAPTER IX

Attempt to assassinate Sharp—1st Act of Indulgence—Protest against it by Episcopalians—Meeting of Scotch Parliament—Lauderdale Royal Commissioner—His strangely mixed character—Supremacy of the King in ecclesiastical affairs asserted—Proposal for Union with England—Argyll's second marriage—Displeasure of Lauderdale at it. 158-176

CHAPTER X

A "clanking Act" against conventicles—Leighton's endeavours after a compromise—Widespread misery and dissatisfaction in Scotland—Another Session of Parliament—2nd Act of Indulgence—Strong political opposition to Lauderdale—Increase of conventicles in Scotland—Petition of women to the Privy Council—Members of Argyll's family sympathize with recusants—Conflict between the Government and the Advocates—Proposals for a National Synod. 177-196

PAGES

CHAPTER XI

Argyll's difficulties with McLeans of Mull—Failure of attack on Lauderdale—"Letters of Intercommuning"—Sir George Mackenzie becomes Lord Advocate—Sir James Dalrymple and Argyll, spokesmen of the Presbyterian Party—Increased activity of extreme party—Imposition of a Bond on landowners—The "Highland Host" brought into the West of Scotland . . 197-216

CHAPTER XII

"Bonds of law-borrows"—Appeal from Scotch nation to Charles II—Meeting of Convention of Estates—Lauderdale supported by the King—The Popish Plot—Recrudescence of rebellion in Scotland—Assassination of Sharp—Claverhouse employed against insurgents—Demonstration at Rutherglen—Battle of Drumclog—Argyll summoned to support the Government—Monmouth sent down into Scotland—Battle of Bothwell Bridge . . . 217-239

CHAPTER XIII

The 3rd Act of Indulgence—Duke of York sent to Scotland—He declines to take the Oath of Allegiance—He courts popularity in Scotland—The Sanquhar Declaration—Execution of Cargill—Lauderdale resigns office—Duke of York visits Argyll at Stirling—Meeting of Scotch Parliament—Argyll's position threatened—The Test Act—Argyll and Dalrymple dismissed from the Court of Session—Argyll takes the Oath with an explanation—Imprisoned—Accused of Treason 240-267

CHAPTER XIV

Trial of the Earl of Argyll—His condemnation—Escape from Edinburgh Castle—Popular indignation at the Trial and Sentence—Argyll's journey South by Torwoodlee and Newcastle . . 268-287

CHAPTER XV

Adventures of the Earl on his journey from Newcastle to London—The Smith family at Battersea—Death of Lauderdale—Main incidents of his career—The position of politics in England—Shaftesbury—Viscount Granard—Argyll takes refuge in Holland . 288-305

PAGES

CHAPTER XVI

Sir James Dalrymple retires to Holland—Argyll's petition to Charles II —The Carolina Project—Conspiracy against the English Government—Rye-House Plot—Major Holmes apprehended—William Spence and the letters in cipher—Impoverishment of the Earl and Countess of Argyll—The condition of matters in Scotland—Claverhouse's activity 306-326

CHAPTER XVII

Argyll prepares for invading Scotland—Inveraray occupied by his enemies—Death of Charles II—Monmouth urged to co-operate with Argyll—Negotiations with Scotch and English exiles—Omens and portents—Council of War formed to support and control Argyll—Mr. Veitch sent to the north of England—Prominent members of the invading forces 327-342

CHAPTER XVIII

Departure of the invading ships from Holland—William of Orange's assistance in the project—Preparations for the defence of Scotland —The disaster at Orkney—Landing in Islay—Arrest of Countess of Argyll and other members of the family—Arrival of the Expedition at Campbeltown—The *Declaration* published and also a personal statement by Argyll 343-365

CHAPTER XIX

Relations between Argyll and his colleagues—Tidings from the Lowlands—Journey to Tarbert—Great controversy as to where the seat of war should be—The invaders take possession of Bute —A reverse in Cowall—An attempt at Greenock—Occupation of the Castle of Ellan-Gheirrig—Spence and Blackader brought to Edinburgh—Operations on land in Glendaruel . . . 366-383

CHAPTER XX

Resolution to march to the Lowlands—Garrison left in the Castle—The Castle abandoned—Divided counsels—Journey by the Gareloch and Kilmaronock—Meeting with Royal forces—Rebels desert in large numbers—Flight by night to Kilpatrick—Argyll arrested at Inchinnan—Brought into Edinburgh—Fate of other insurgent leaders—Argyll threatened with torture but not tortured. . 384-408

PAGES

CHAPTER XXI

Manner of death decided upon—The Earl's serenity and gentleness—His last messages and greetings—The circumstances of his execution—His speeches and death—His character—Later history of the Countess and of other members of the Earl's family—Closing remarks 409-430

APPENDICES :—

I. An account-book of Archibald, 9th. Earl of Argyll . . 431-432

II. A letter written by the Earl asking support in his rebellion. 433-438

ERRATA

P. 20, line 22, for " misgovernment " read " government. "
P. 21, line 6, for " Parliamentary " read " Frondeur. "
P. 38, line 34, for " adhered " read " pretended to adhere. "
P. 339, line 25, for " in Dumfriesshire " read " near Dumfries.

ILLUSTRATIONS

Frontispiece : Portrait of Archibald, 9th Earl of Argyll, from original in possession of Lord Balcarres, by an unknown artist. To face title-page.

Second portrait of Archibald, 9th Earl of Argyll, from an engraving by David Loggan (1635-1700), in the British Museum . To face p. 131

Portrait of the Duke of Lauderdale by Caspar Netscher (1639-1684), from original in possession of the Earl of Ancaster in Drummond Castle. . . . . To face p. 164

Portrait of Sir James Dalrymple, 1st Viscount Stair, about 1690, by Sir John de Medina (1659-1710), from original in possession of the Earl of Stair at Oxenfoord Castle. . . . . To face p. 205

Portrait of John Graham of Claverhouse, probably by a Dutch artist, before 1677 : "The Leven Portrait." . . . To face p. 225

Portrait of the Duke of Monmouth by Mrs. Mary Beale (1632-1697), from original in possession of the Duke of Bedford in Woburn Abbey. . . . . To face p. 234

Portrait of 1st Earl of Shaftesbury from miniature by Samuel Cooper (1609-1672), in possession of the Earl of Shaftesbury at Wimborne St. Giles. . . . . To face p. 299

Third portrait of Archibald, 9th Earl of Argyll, from a miniature by Thomas Flatman (1637-1688), in the Royal Collection, Windsor Castle. . . . . To face p. 312

Map to illustrate Argyll's expedition in 1685 . . . To face p. 352

Playing cards illustrating incidents in the invasion of Scotland in 1685, from a unique set in the British Museum :

Argyll's landing in Islay . . . . . To face p. 354

Capture of Argyll from a contemporary Dutch engraving. To face p. 395

Colonel Ayloff and others brought prisoners to Glasgow. } To face p. 399
Colonel Ayloff desperately wounded. . . . }

Rumbold taken prisoner. . . . . } To face p. 400
Rumbold executed. . . . . }

Letter written by Argyll to his son John on the day of execution, from original in possession of the Duke of Argyll. . . To face p. 414

Medal in commemoration of the defeat of Argyll and Monmouth, designed by Robert Arondeaux, from a specimen in possession of the Duke of Argyll. . . . . To fage p. 426

CHAPTER I.

Introduction. — Birth of Archibald Campbell, afterwards 9th Earl of Argyll. — "Fostered" at Glenurquhay. — Enters the University of Glasgow.

In a former volume, entitled *The Great Marquess*, we have given an account of the leading events in the history of Scotland from the beginning of the reign of Charles I down to the Restoration. It so happened that the entrance of the Marquess of Argyll on public life coincided with the accession of that monarch to the throne, and that from that time onward he was a prominent figure in the national life until his execution in 1661. It was, therefore, comparatively easy to weave together a biography of him and a narrative of the events that took place during the momentous period of British history in which he flourished. The main purpose of the present volume is to give some account of the more important occurrences in Scotland from the Restoration to the Revolution, and to complete the story of the Covenant—a story that was left but half told at the close of the career of the Marquess of Argyll. For the sake of continuity we have resolved to group events about the life of the 9th Earl of Argyll, though we candidly admit that it is less suitable for our purpose than was that of his father in the case of the earlier period. For, though he was a man of an interesting personality and romantic history, he did not play so conspicuous a part in public life as the Marquess had done, and during a

considerable portion of his career he was somewhat out of sympathy with the political and religious causes which were dear to the majority of his fellow-countrymen. Yet as he was more or less involved in public affairs in Scotland from the death of Charles I down to the beginning of the reign of James II, and was a man of worth, it seems to us that no more suitable or attractive central figure for our history could be chosen. The only other possible competitor is Lauderdale. He, however, labours under two serious disqualifications for our purpose. The first is that his death in 1682 would leave us several years shorter of the goal which we have above indicated than does that of Argyll, and the second is that his personal character was in many respects so corrupt and repulsive as to deprive his history of much of the interest which might otherwise have been aroused by his astonishing ability and force of will. To a dispassionate student of human nature, or to a theologian in search of illustrations of spiritual degeneration and depravity, Lauderdale's biography might be of rare interest and value ; but probably the ordinary reader would turn with aversion from a book which announced itself as a record of his career. Perhaps on the whole this is a condition of things which the moralist would not wish to be different.

In one matter we desire our readers to extend to us a certain measure of liberty, and, if necessary, of condonation. In the title of this volume, as in that of its predecessor, we have used the phrase "Life & Times". The Marquess of Argyll was so closely associated with the public affairs of his time that in our history of them he was but seldom, and never for long, off the stage. If it should happen that in the ensuing pages his son should for any length of time be absent from the scene, we hope that the latitude claimed in the title will be taken into account in the way of excuse.

Archibald, afterwards 9th Earl of Argyll, was born at Newbattle Abbey, Dalkeith, on Thursday, Feb. 26th, 1629. He was the eldest son of the 8th Earl, then

still Lord Lorne, and of his wife, Margaret Douglas, second daughter of William, 9th Earl of Morton. Shortly before the birth of this her first child, Lady Lorne had been seriously ill, and the doctors who attended her gave it as their opinion that her life could not be preserved without sacrificing that of the infant. But to this suggestion she would by no means consent, and in the end it so happened that the lives of both the mother and child were preserved. [1] The only notice of the birth, which is known to us, is contained in a letter written by Lord Lorne to his father-in-law to announce the advent of a son and heir. A tone of exultation, as was natural, pervades the little document in question. [2] The father and mother were young; for, though they had been married for two years and a half, they were only twenty-two and eighteen years of age respectively. Little did they anticipate the stormy and chequered careers which lay before father and son, which were both to be closed by a bloody death.

Before the publication of the above letter those who had written notices of the 9th Earl of Argyll either made no allusion to the date of his birth or gave a conjectural date. In every case he is represented as having been older than he actually was—the conjecture being sometimes no less than nine years wide of the mark. It is very curious that a similar and as serious a blunder should have been made with regard to his father's age. It is quite inexplicable to us that such errors should have occurred in the case of men so prominent as they were in public life, though of course the original mistake as to the father's age prepared the way for that as to his son's, when calculations were based upon the former's supposed age and the probable date of his marriage.

A word of explanation is needed as to how the subject of our biography came to be born at Newbattle Abbey, the seat of the Lothian family. Annabella Campbell, an elder sister of Lord Lorne, had been married to the 2nd

[1] Wodrow, *Analecta*, vol. II, p. 135.
[2] *The Great Marquess*, p. 361.

Earl of Lothian in 1611 and was now a widow with a family of two daughters. At her residence in Dalkeith Lord Lorne was a frequent visitor. A dark and mysterious tragedy had occurred in that house some five years before the birth of the child whose fortunes we are to follow. One Saturday morning in the end of March, 1624, the Earl of Lothian was found dead in bed with his throat cut; and the author of the crime, if the death were not a case of suicide, was never discovered. Rumours unfavourable to the Countess sprang up and were widely credited. A young fellow named William Douglas, an irregular connexion of her mother's family, had been resident in the house for some time, and in the scandalous gossip of the day his name had been somewhat unpleasantly associated with hers. It was now insinuated that he had done the deed and that she had been an accomplice. But nothing to confirm this transpired, and in course of time the rumours, whether well or ill founded, died away. A year later than the period in which we are interested her eldest daughter married a kinsman of her own, who was created 3rd Earl of Lothian; and shortly after this marriage the Dowager-Countess with her younger daughter retired to the Continent, where she died in 1652. All that is known of the fate of William Douglas is that he went to Holland where shortly after he was killed at the siege of some city. [1]

The family of the 8th Earl of Argyll consisted of two sons and four daughters. The second son, Neil, was but a year or so younger than Archibald and was born some time in 1630. In the course of the four following years two girls, Anne and Jane, were born. The former of these is known to history in connexion with an abortive scheme of a marriage alliance with Charles II, at a time when it was thought advisable for him to conciliate the Presbyterian party. She died before the Restoration. Her sister Jane afterwards married the 4th Earl and 1st

[1] Scot, *Staggering State*, p. 91 (1872); Masson, *Life of Drummond*, p. 297: *Correspondence of the Earls of Ancrum & Lothian*, p. C.

Marquess of Lothian, outlived her brothers and sisters, and died well on in the reign of Queen Anne. Two other daughters belong to a time after 1634—Mary who married the Earl of Breadalbane, upon whose name the Massacre of Glencoe has left so serious a stain, and Isabella, who was born on the day of Montrose's execution, (Tuesday, May 21st, 1650) and died young. [1]

As an infant Archibald Campbell had poor health and suffered so much pain that his father often said that the tidings of his death would almost be a relief, [2] but he soon grew robust, and in later times he was able to undergo many hardships in war and travel. When he was still of a very tender age, being only between four and five years old, he was "fostered" or brought up away from home by one of his father's kinsmen. The custom in question was prevalent in Argyll and Breadalbane and in other parts of the Highlands and extended to all classes. The original object of it was to procure friends and allies in case of need—a consideration of great importance in days when the protection afforded by the laws was but slight and intermittent. There is something very engaging in the idea which lay at the root of this custom, that in a bond of friendship there is something more enduring than could be secured by treaties written with a pen and liable to be affected by the changing moods and circumstances of the contracting parties. [3] Various members of the House of Campbell would have been glad to "foster" the eldest son of their chief—for such Lord Lorne had virtually been from the time that his father had abjured his religion and forsaken his country. But the person to whom Lord Lorne committed the weighty charge of his son's upbringing was Sir Colin Campbell, 8th Laird of Glenurquhay. He was a man of fifty-six years of age, and had but two years before succeeded to the title and property. His wife, Juliana, was

[1] *The Great Marquess*, p. 344.
[2] Wodrow, *Analecta*, vol. II, p. 139.
[3] *Black-book of Taymouth*, p. XVIII.

a daughter of Hugh, Lord Loudon, and so belonged to another branch of the House of Campbell. They had no children of their own, and therefore, no doubt the "foster" son whom they now received would be doubly welcome.

Sir Colin Campbell was a man of considerable culture, being versed in Latin, French and Italian literature, and he lived in a more luxurious style than one would have expected to find in the case of a Highland country-gentleman in the early part of the 17th Century. Thus we read of his providing Arras hangings, silk beds, and other costly furniture, and of his importing damask napery from West Flanders, for his house at Balloch. His chronicler was more impressed than modern readers are likely to be by the fact that he gave £1,000 Scots (£83-6-8 Sterling) to "ane Germane painter," and entertained him in his house for eight months, in order that he might furnish him with three dozen or so portraits—the "counterfeit presentments" of Kings and Queens and of Lairds of Glenurquhay. His patronage of George Jamesone, "the Scottish Vandyke", was on a less colossal scale, but yielded more valuable results, for some of the best pictures of that graceful artist owed their origin to it. [1]

In the charter-room of Taymouth Castle, which was erected on the site of the house or castle of Balloch, [2] Sir Colin Campbell's principal residence, are preserved some curious and interesting documents relating to the "fostering" of Archibald Campbell or "Archie" as his father called him. They consist of letters between the parties concerned, and of accounts of the boy's expenses which were carefully kept according to the fashion of "the antique world." [3]

The first journey which Archibald Campbell made to

[1] *Black-book of Taymouth*, pp. 75, 77.

[2] A small piece of wall on the right hand side of the front door of Taymouth Castle is all that exists of Balloch Castle. The old well remains though covered over with soil.

[3] *Black-book of Taymouth*, p. XXII.

the house which for some years was to be his home was from Stirling, where one of his father's residences was situated. In the letter in which Sir Colin agreed to receive him he stipulated that some " discreet woman " and a tutor acquainted with both Gaelic and English should accompany the boy and have charge of him in his new home. A woman named Margaret Neill was the person who in the matter of discretion and of other desirable qualities was thought suitable for waiting upon the child; while a Mr. John Maclean was appointed to be his tutor or paedagogue. At a little later time a lad named Duncan Campbell, one of his own clan, probably, was assigned to him as his page.

There can be no doubt that in the house of his kinsman, Archibald Campbell enjoyed all the happiness that life could give a boy. His guardians were sensible and good-natured and watched over him with affectionate care. It is not probable that lessons were very burdensome to him, though it is recorded that some trouble had to be taken to keep him up to the mark in the use of the Gaelic language; while we may be sure he would find an endless source of delight in all that was to be seen and done in Sir Colin's various castles and country-seats from time to time during the changing seasons of the year. As was natural in the circumstances, he soon learned, somewhat to his parents' amusement, to speak of his " home " as being in Perthshire rather than at Inveraray, and to long to be back in it on occasions when he visited Argyllshire. In the earliest letter of his which has been preserved he writes with childish eagerness to Sir Colin Campbell, whom he addresses as " my loving foster-father and respected freind the Lard of Glenvrqhey, " and entreats him to send horses " in all the heast and diligence " he can to bring him and his tutor back from Inveraray. He concludes by saying: " I wil seie you my shelf shortlie, if ye doe your deutie, not duting but ye wil doe the same [and] comiting you to God's protection for euer. " [1]

[1] *Black-book of Taymouth*, p. XX.

The incidents of his childhood which have been recorded are very few in number. His tutor, John Maclean, turned out rather unsatisfactorily and misbehaved himself in some way so seriously as to necessitate dismissal. In one of the letters to which we have referred as our source of information about this part of the history, Sir Colin Campbell himself writes to Lord Lorne to recommend Maclean's services being dispensed with and a more trustworthy person being employed in his place as tutor [1]. In the account of the boy's expenses we read of visits paid by him to Perth, Stirling, Rosneath and Edinburgh before he was nine years of age. It is somewhat amusing to notice that it is recorded in the case of each visit that a sum of money was "given to the bairne to play him withall." A less satisfactory notice is that of the visit of a Dr. Kincaid from Edinburgh to see him at Balloch when he was sick. Those who are curious in such matters may be interested to learn that the physician received a fee of £24 Scots (£2 Sterling), and £48 Scots (£4 Sterling) for the expenses of himself and of his man in making the journey [2].

One of the visits which Archibald paid to Stirling was to see his "guidsire", i. e. his grandfather, William, 9th Earl of Morton, his mother's father. This nobleman, who was cousin and father-in-law of the 8th Earl of Argyll and had been almost his foster-father, was one of the foremost public men in Scotland. In the struggles of the reign of Charles I he took the Royalist side, and his relations with his kinsman and former ward were marked by that bitterness which so often intensifies the hostility of those who have been friends in youth. Archibald never saw his other grandfather, the 7th Earl of Argyll. The only mention made of him in the correspondence to which we have referred above is in a letter from the 8th Earl to Sir Colin Campbell announcing his father's death and asking his friend to arrange for the boy's

[1] *Black-book of Taymouth*, p. XXI
[2] *Ibid*, pp. XXII, XXIII.

being provided with mourning clothes.[1] The old Earl of Argyll had had a chequered life, in the course of which he had suffered many things both from the machinations of enemies and the importunity of creditors. He had been for some years in exile and had on returning to England experienced all the irritations and inconveniences which in that age attended upon those who abandoned Protestantism for Roman Catholicism. But for some years past he had lived in great retirement in London.[2] The date of his death may be approximately guessed from the above notice with regard to his grandson's mourning-clothes, but to the best of our knowledge no more definite notice of it is recorded. From this point, therefore, we shall use the title Lord Lorne as designating the subject of our biography ; and our readers will understand for the present that the Earl of Argyll of whom we may make mention is the 8th Earl, created in 1641 the Marquess of Argyll, who played so prominent a part in the history of Scotland during the second half of Charles I's reign and the period of the Commonwealth.

It was in the early boyhood of Lord Lorne that the discontent in Scotland which the misgovernment of Charles I had occasioned broke out into open rebellion against his authority. There is no need for us to recount here the particulars of that strife, especially after the full narrative of the events of the period in question which we have given in telling the story of the life of the 8th Earl of Argyll. Suffice it to say, that political and religious grievances were so galling that the patience of the people of Scotland became exhausted, and that all classes from the highest to the humblest united to insist upon their being redressed. We need do no more than mention the outcome of this agitation in the drawing up of the National Covenant in 1637, and the abolition of Episcopacy at a meeting of the General Assembly in

[1] *Black-book of Taymouth*, p. XXI.

[2] For particulars with regard to the 7th Earl of Argyll we may refer our readers to the notices of him given in *The Great Marquess.*

Glasgow at the close of 1638. The criticism to which in the 19th Century a certain school of writers subjected the Covenanting movement reminds one of the satirist's line about coxcombs vanquishing Berkeley by a grin. [1] A few scornful words and grimaces were supposed sufficient to confute those who saw in that movement a heroic resistance to the tyranny of King and Priest, and one of the powerful influences which have moulded and strengthened the Scotch national character. Truth, however, does not reveal herself to such shallow and ungenerous scrutiny. We have no desire to defend all that was done in the name of the Covenant. An admission that its course was marked by some faults and shortcomings is involved in the fact that its supporters were human. That an admixture of evil should have defaced the cause which so many regarded as that of righteousness, and should in the end have disappointed the glowing hopes associated with it and have seemed to nullify the sacrifices made for it, is one of those illustrations of mortal destiny which should touch mortal hearts.

The temper in which the nation prepared to enter on the struggle is admirably reflected in the minutes of procedure of the nobles and gentry of Perthshire and Argyllshire in 1638. These persons, in accordance with instructions from " The Tables " in Edinburgh, a central committee that was virtually the Government of Scotland at the time, drew up lists of all men in the various parishes within the above shires who were capable of bearing arms, and made out full inventories of the weapons in their possession. Those who were unprovided with arms received an admonition somewhat like that once given to the Apostles to buy them with all speed. Those who had had any experience of war abroad and were now at home were required to put themselves in communication with the local " Commissioners " in order that their services might be employed for the defence of " the guid cause ; " while at the same time elaborate

[1] T. Brown, *Essay on Satire*, published by Warburton in Pope's Works.

arrangements were made for circulating important news by means of beacon-fires. As a necessary consequence of the decision on the part of the Covenanters to ascertain their own strength, orders were issued for a strict enquiry to be made in every district as to the numbers and resources of those who had refused to sign the Covenant. [1]

Sir Colin Campbell was prominent among those who were thus zealous in preparing for conflict; and there is no doubt that the remarkable foresight, unanimity, and resoluteness which marked the proceedings in question were not a little due to the influence he exercised upon his colleagues. In a note sent by him to a meeting of "Commissioners" at Perth (July 26th, 1638), he intimates that he and his servants are sufficiently provided with armour and weapons, including two field-pieces on carriages, and he declares his intention to see that every tenant of his should soon be in the same satisfactory condition. [2] We may be certain that the serious grievances, which led such a grave and wise personage as Sir Colin Campbell to resolve upon resisting the royal authority by force of arms, were matters which would be discussed from time to time in the hearing of his foster-son; and no doubt the latter took a boyish delight in the weapons of war which were collected and furbished up for use. He was afterwards in the course of his eventful life to learn by his own experience how uncertain and brief the triumphs were which could be won by such means, and that those who took the sword generally perished by the sword.

A slight indication of the unsettled state of the country and of the shadow which the general disorder was casting even upon the life of this child, is given in the last of the letters in the little bundle of correspondence to which we have already several times alluded. In it the Countess of Argyll writes to Sir Colin Campbell concerning her son's journeying from Perthshire to Inveraray. The

[1] *Black-book of Taymouth*, p. 391.
[2] *Ibid*, p. 394.

date of the letter is June 14th, 1639. The Countess lays great stress upon the necessity of Lord Lorne's having a sufficient escort on the road, and upon a secure lodging-place being chosen for the night which he would have to spend on the journey before reaching home.[1] The anxiety which the letter expresses was not without cause. The country was on the brink of war. A Scotch army under the command of General Leslie was encamped on Duns Law, and was confronted by an English army commanded by the King in person. At the same time a hostile fleet was in the Firth of Forth, and an invasion of the Western Highlands by an Irish army was dreaded. The Earl of Argyll was now with the Covenanting army and was regarded by Charles I as his most dangerous opponent.[2] In these circumstances we can easily understand that the Countess would be specially concerned about the safety of her eldest son, and that the precautions which she was anxious should be taken for protecting him on the journey were by no means unnecessary.

It is almost certain that Lord Lorne did not return to Glenurquhay, except perhaps to attend the funeral of his foster-father who died on the 6th of September, 1640. On this latter occasion it is recorded that there was a great gathering of the Campbells to do honour to the memory of their distinguished kinsman. For the next three years or so after the boy's return to Inveraray he was doubtless busily employed in his studies under the direction of a tutor with the view of preparing himself for the University. These were years during which momentous events occurred in the three kingdoms. In Scotland the Covenanting Party triumphed all along the line and gained every object of their desire; and Charles I was constrained by force of circumstances to bestow honours and offices upon his most strenuous opponents. The Earl of Argyll received a Marquessate and a pension, though not long before the King had been

[1] *Black-book of Taymouth*, p. XXI.
[2] *The Great Marquess*, pp. 62, 73.

supposed desirous to have his head. The outbreak of rebellion in Ireland, the meeting of the Long Parliament, and the Civil War in England may be mentioned as great events that happened during the period in question. Even to the remotest parts of the country some echoes of insurrection and of political revolution must have penetrated ; and we can well believe that at times the heart of the growing boy in Inveraray would throb with pride at the thought of the commanding part which his father played in public life, and of the powerful aid which he was able to give the cause which still seemed to the vast majority of his fellow-countrymen that of civil and religious liberty and of national independence.

The name of Lord Lorne emerges in a curious way in connexion with the political intrigues in which his father was involved towards the end of the year 1641 and the early part of 1642. The Marquess of Argyll at the outset of his career as an opponent of Charles I's political and ecclesiastical schemes had had as a principal antagonist the Marquess of Hamilton, who acted as Royal Commissioner to Scotland in 1638 and was deep in his master's confidence. The course of Hamilton's intrigues is too devious and obscure for us to attempt to trace it, but the upshot of matters was that in the year 1641 he and Argyll were political allies of the most intimate type. Their joint action on the occasion of what is known in history as *The Incident*, when they fled from Edinburgh, was regarded by Charles as casting a deep slur upon his honour. Hamilton recovered favour with him more speedily than might have been expected, and was requested by him to endeavour to secure the influence of Argyll in support of the Royal cause. "By the King's particular command", says Burnet, "[Hamilton] entered into a close friendship with Argyle, considering that besides the great power of that family, his interest with the clergy and covenanters was such, that none could be so useful to his majesty's service as he." [1] In order to

[1] *Dukes of Hamilton*, p. 239.

further this design a marriage was proposed between Lord Lorne and Lady Anne, the second daughter of the Marquess of Hamilton, and a contract embodying the proposal was drawn up in formal terms. So definite were the arrangements entered into by the parents of the young people that the lady's marriage-portion and yearly jointure were named, and a heavy fine fixed as the penalty to be inflicted upon the party resiling from the contract.[1] The penalty was perhaps an indication of the precarious nature of the alliance between the two statesmen. At any rate the ink with which the contract was written was scarcely dry before they had drifted asunder. The friendship between them grew cold and very soon changed into hostility, and all thought of carrying out the marriage scheme was given up by both parties.[2] As we shall see in the course of this history Lord Lorne was twice married, his first wife being Lady Mary Stewart and his second the dowager-countess of Balcarres. The lady who had been contracted to him married Lord William Douglas and died in 1716.[3] We need scarcely remind our readers that her father, the Duke of Hamilton, after invading England in Charles I's interests, was defeated at Preston, and some months later was beheaded in London on Friday, Mar. 9th., 1649.

Another slight but interesting notice of Lord Lorne about the same date is given in a letter of his father's to one of his friends in the north of Scotland concerning the raising of a body of men to serve as a regiment of guard

[1] *Dukes of Hamilton*, p. 239 : Napier *Life of Montrose*, vol. II, p. 374n. The marriage portion was to be 100,000 merks (£5555-11-1⅓ Sterling) the yearly jointure 15,000 merks, (£833-6-8 Sterling), and the penalty of resiling 36,000 merks, (£2,000 Sterling).

[2] Since both parties were willing to resile from the arrangement the fine would of course be dropped.

[3] Lady Anne was the second but eldest surviving daughter of James, 1st Duke of Hamilton and was born about 1630. She married on Tues., Apr. 29th., 1656, Lord William Douglas, eldest son of William, 1st Marquess of Douglas, who was afterwards created Earl of Selkirk and in 1660 Duke of Hamilton. His wife succeeded to the Dukedom on the death of her uncle William and in terms of the destination in the patent. She died on Oct. 17th, 1716. From her the present family are descended.

to the King of France. [1] The struggles between King and people in Scotland which had kept the country in turmoil for four or five years were now happily over, though in England civil war was on the point of breaking out; and consequently many in the northern kingdom who desired military employment were free to enter foreign service. Charles I accordingly consented to a regiment's being levied in Scotland by the Earl of Irvine, a half-brother of the Marquess of Argyll, [2] which was to occupy a place of honour in the army of Louis XIII. For more than two hundred years the Scots Guard had been a permanent institution of the French Court, and indeed, it survived in name until the monarchy itself was swept away by the Revolution. The Marquess of Argyll was specially interested in raising the troops which were now to enter the French service. The Covenanters had received aid and encouragement from Richelieu in their revolt, and they were willing to acknowledge the kindness in this way on condition that the Scotch soldiers should have their own Protestant chaplains and should be allowed the free exercise of their religion. These terms were granted and in the autumn of the following year, 1643, a regiment of two thousand men under the Earl of Irvine landed at Dieppe. The captains of the regiment were all young noblemen and gentlemen of quality, and at the head of the list Lord Lorne's name figured, though his connexion with the company, which his father had raised by his own personal efforts, was but nominal. A kinsman of his, also named Archibald Campbell, was appointed to act as his lieutenant. [3]

The records of Glasgow University testify to the fact that Lord Lorne entered upon the curriculum there

[1] *The Great Marquess* p. 370.

[2] The Earl of Irvine was a half-brother of the Marquess of Argyll by a second marriage of his father, the 7th Earl of Argyll.

[3] Much interesting information regarding the Scots Guard is given in Burton's *The Scot Abroad* and in Scott's *Quentin Durward*. Our authorities for the above notice of the Earl of Irvine's regiment are Gordon's *Britane's Distemper*, p. 6, Montereul's *Correspondence*, vol. II. p. 604 (S. H. So.), and *The Family of Kilravock*, p. 329 (Spalding Club).

during the session of 1642-3, when he was still under fourteen years of age. The Marquess of Argyll had been in his time a student at St. Andrews. Probably in the unsettled state of the country, now that in England a civil war was raging into which Scotland might be drawn, the fact that Glasgow was nearer home and that the Covenanting influence was strong there, was taken into account in fixing upon a University for Lord Lorne. About a year or so later his brother, Lord Neil Campbell, also entered the classes at Glasgow.[1] The graduation-lists of that time are extant but they do not contain the names of either of the brothers. It is probable that they both took the full course of studies at the University, but there is no evidence to show that they distinguished themselves there, or that they bore away with them more than boys usually do in our own day from a public school. The early age at which students then entered the University forbids us to suppose that their studies were either very deep or very exacting. Lord Lorne in later years had considerable facility in writing verses which at their best are somewhat animated and pleasing, but we can well believe that this was an accomplishment which found but little exercise in his academical career. We may think of him at this time as a slight, fair-haired youth, below the medium stature in height, neat in person, and bearing in his manners evidence of an ingenuous and high-spirited disposition. Lauderdale afterwards spoke of certain tricks of manner which he had—"winking with the eye whenever he speaks", and "keeping his little finger [i. e. his thumb] generally in his hand"—and said that they were ill signs which were prophetic of a violent death.[2] Another notice of him, also of a later period, speaks of him as being "witty in knacks", i. e. clever in the invention of small contri-

[1] This is mentioned in the Dedication of David Dickson's *Exposition of the Catholic Epistles*, in Latin (1645). In the Dedication of the volume to the Marquess of Argyll Lord Lorne is associated with his father.

[2] *Argyll Papers*, p. 16.

vances, as evidenced, e. g., in having nearly twenty pockets in his clothes, "some of them very secret in his coat and breeches."[1] Doubtless this foible like that of his versifying goes back to an early time in his life.

[1] Fountainhall, *Historical Observes*, p. 195.

CHAPTER II.

Lord Lorne's foreign travels. — Marriage. — Becomes Colonel of Royal Guards. — Battle of Dunbar. — Lord Lorne retires to Inveraray. — Father and son take different sides in politics.

It was during Lorne's college days that the series of great disasters occurred which not only lowered the prestige of his father and clan and seriously impoverished them, but also weakened the Covenanting cause. Our readers will remember that after peace had been secured in Scotland by the King's complete submission to the Covenanting party, that country remained for some time an inactive spectator of the Civil War in England, and that it only departed from this attitude in consequence of a piteous appeal from the Parliamentary party, which was in dire need of "the brotherly aid" which it sought from Scotland. After the Solemn League and Covenant had been subscribed by the English Houses of Parliament and the Westminster Assembly of Divines, a powerful army under the Earl of Leven crossed the border and contributed largely to the victory won by the Parliamentary forces at Marston Moor. The Marquess of Argyll had accompanied the army of invasion but was suddenly recalled to Scotland to act as Commander-in-Chief of the forces of the Estates and to suppress a Royalist rising under the Marquess of Huntly, his brother-in-law. He had scarcely succeeded in this enterprise when Montrose began his victorious career. In the course of a year the

latter fought and won six great battles in which he shattered the armies of the Covenanters, only to be himself overwhelmed by the troops which they were compelled to recall from England. The loss inflicted upon the Marquess of Argyll by these victories of Montrose was both deep and humiliating. At an early stage in the contest he resigned his office of Commander-in-chief, and shortly thereafter his territories were invaded repeatedly by the victorious Royalists and devastated with ruthless severity. A considerable sum of money was voted by Parliament as compensation to the Marquess of Argyll and to his tenantry, but the losses sustained were far greater than the grant could cover, and for many years the Marquess received no income from his Argyllshire property.

Early in 1647 Lord Lorne and his brother, along with a tutor and servants, set out upon a Continental tour through France and Italy which lasted for fully two years.[1] One incident which occurred during the time is well worth recording. It seems that when the Covenant was drawn up in Scotland the leaders of the party adhering to it were anxious to have the sympathy and support of the Calvinistic Churches on the Continent. Among others they consulted the Church of Geneva and of Switzerland, and Mr. John Diodati, a minister of Geneva, was appointed by his colleagues to express the general opinion of the Swiss Protestants. The reply he sent was to the effect that while the Presbyterian form of Church government was in harmony with a Republic such as that under which he lived, he and his colleagues were of opinion that in Scotland Episcopacy should be accepted and retained as more agreeable to Monarchical government. This reply was very unwelcome to the Covenanting leaders and was at once suppressed. Nine years later Lord Lorne on visiting Geneva heard the particulars of the incident from the lips of Diodati himself, who was naturally irritated at the way in which

[1] *Hist. MSS. Com. Report*, vol. VI, p. 631b.

his letter had been treated. Additional interest, probably of a somewhat unwelcome kind, must have been excited in the mind of the hearer by his knowing or being informed that his own father was certainly more responsible than anyone else in Scotland for the adoption of the policy of repression. The incident is not without a humour of its own as an illustration of the fact that we often ask for advice with the definite, though unacknowledged determination, not to take it unless it agrees with what we have already decided to do.[1] The opinion of the Continental Churches may have been of some faint value in the earliest stage of the movement; but it was of no value whatever after the heather had been set on fire in Scotland and was burning fiercely all over the country.[2]

During some part of his travels Lord Lorne had the companionship of a kinsman, Lord Mauchline, the eldest son of the Earl of Loudoun, Lord Chancellor of Scotland, who belonged to the house of Campbell. The young men were in France on the outbreak of the war of the Fronde. Our readers will remember that during the regency of Anne of Austria the misgovernment of Mazarin, involved the state in serious financial embarrassment and that attempts to impose fresh taxation created general discontent and ultimately led to civil war. The Parliament of Paris espoused the cause of the malcontents and came into direct antagonism to the Crown and was supported energetically by the turbulent citizens of the capital. Through the intervention of the Prince of Condé, the Commander-in-Chief of the French army, an accommodation was effected by the unconditional acceptance on the part of the Regent of the demands of the Parliament (Oct. 24th, 1648). A short time after this the tumult broke out afresh. Condé joined with the Court

[1] Gordon, *Scots Affairs*, vol. I, p. 52.

[2] For other attempts to elicit the opinions of the Reformed Churches on the Continent with regard to Episcopacy and Presbyterianism see Wodrow, *History*, vol. I, p. 46 : *Lauderdale Papers*, vol. I, p. 28 : *Reliquiae Baxterianae*, p. 216.

to control the insubordination and insolence of the Parisians and an open revolt took place. The Court withdrew from Paris while the Parliament ordered the banishment of Mazarin and raised an army to oppose that of Condé. The latter's brother, the Prince of Conti, was appointed General-in-Chief of the Parliamentary forces. After a serious engagement at Charenton and much aimless and frivolous disorder a temporary restoration of peace took place on March 11th, 1649. During the confusion with which this year opened Lord Lorne and his friends were journeying through France. Anxiety began to be felt with regard to their safety by their relatives at home and accordingly the matter was brought before the Estates of Parliament by the Lord Chancellor. Letters were written by order of the Estates to the King of France and to the Prince of Conti, as the head of the Parliamentary forces, requesting that care might be taken to prevent any harm occurring to the young travellers, their companions, and servants in this time of public confusion.[1] What special precautions may have been taken on their behalf we do not know, but as a matter of fact they arrived home in safety.

At the time that Lord Lorne started on his foreign travels the Civil War in England had come to an end and Charles I had been for eight months in the custody of the Scotch contingent of the Parliamentary army. His letter of safe-conduct, indeed, was signed at Newcastle by the King (Jan. 7th, 1647,) shortly before the Scotch troops withdrew beyond the Tweed and left him in the hands of the English Commissioners. During the three years of their Continental travels the two young men doubtless heard many faint and broken rumours with regard to the course of events at home. The seizure of Charles by the army, the growing power of the Independents, the failure of Royalist schemes, the flight of the King to the Isle of Wight, the abortive invasion of

[1] *Acts of Parl. of Scot.* vol. VI, part 2, p. 149b. The date of the minute to the above effect is Jan. 25th., 1649.

England under the Duke of Hamilton, and the act of Regicide, were matters which could not fail to come to their knowledge and excite very deep feelings in their minds.

We are not left altogether to conjecture in this matter, for there is still extant a letter written by Lord Lorne to Queen Henrietta Maria after the death of Charles I and the abolition of Monarchy in England, in which he expresses his unquenchable loyalty to the dynasty now under so disastrous an eclipse. From this letter we learn several interesting particulars concerning the author of it. He says that he has been for two years past such a stranger to home that he had but seldom heard even of the state of his parents' health. He is still on the Continent and would be glad if he could have an opportunity of paying his respects to his new Sovereign and of kissing his hand. He is very eager to clear the credit of his father from the slur that had been cast upon it by the suspicion—a suspicion which he fears their Majesties entertain—that he had approved of the trial and execution of the late King, and he affirms his unshaken confidence in his father's loyalty to the Throne. In proof of it he refers not only to the part he had taken as one of the Committee of Estates in protesting against the revolutionary proceedings in England, but also to a speech he had lately made in Parliament in which he testified upon his oath that the assertions made in some quarters as to his sympathy with the regicides were calumnies. In words the sincerity of which his after conduct was to render beyond all question Lord Lorne declares that he will serve the King even against his father, if the latter really meant otherwise than he professed. Some point was added to this declaration by the fact that the writer had now reached his twenty-first birthday and was therefore entitled, if he chose, to express his independent judgment in a matter of this kind. Certainly he must have felt that his protestations and offers of service could not be dis-

missed as the mere vapourings of a boy not yet of age.[1]

Some writers both of that day and of our own time have suggested that the divergence in politics between the Marquess of Argyll and his eldest son was the result of collusion between them, in order to secure themselves against ruin whichever side might prevail in the long run.[2] Examples of such a policy are to be found in the history of Scotland at this time,[3] but we have no reason whatever for believing that in the present case there is ground for suspecting either the father or the son of such dishonourable procedure. The Marquess's attachment to the Covenant was unswerving, and his sympathy with the policy of the Parliamentary party in England, down to the time of the King's being brought to trial, was thorough and was based upon well-grounded principles. His son, however, was from the first a Royalist in his sympathies and political creed, and he adhered to that cause until misgovernment in Scotland compelled him late in the reign of Charles II to become the leader of a party of opposition to the Court policy. Had there been collusion between him and his father and had he affected a loyalty which he did not feel, we may be quite sure that both those to whom he offered himself as a political associate and the King himself would have speedily discovered the fraud and would have rejected with contempt his professions of devotion to the Monarchy and to the House of Stewart. For the Royal cause he hazarded his life repeatedly, and there can be no doubt that Charles II's conviction of his sincerity saved for him the earldom and the family property when his father was attainted and put to death. Had there been any reasonable suspicion of his loyalty at that time he would most certainly have been deprived of his rank and

[1] *Clarendon MSS.* XLII, p. 409 : quoted in Firth, *Scotland and the Commonwealth*, p. XLVII. The reference to the late proceedings in the Scotch Parliament when taken together with the fact that his birthday was Feb. 26th, seem to us to justify the statement in the text as to his being newly of age.

[2] Burnet, *History of My Own Times*, vol. I, pp. 57, 130 : Nicoll, *Diary*, p. 238.

[3] Firth, *Scotland and the Protectorate*, pp. 63, 91.

of the estates upon which so many greedy eyes were fixed.

We do not know whether Lord Lorne obtained the interview with Charles II for which he expressed a desire, but it is probable that, after clearing himself in his letter from the suspicion of disloyalty, he abstained from any further action which might tend to embarrass or discredit the policy of which his father was at this time the main supporter. For the Estates of Parliament in Scotland which had proclaimed Charles II King in the room of his father on the day after the news of the tragedy at Whitehall had arrived in Edinburgh,[1] were determined not to allow him to reign until be had accepted the conditions which they judged it expedient to impose. To thorough-going Royalists the Estates were almost as guilty as the faction in England which had put the King to death, and it was not until hope of doing better for himself had died out, that Charles II consented to the terms.

The proposals of the first Commissioners from the Estates were rejected and Montrose's scheme of invading Scotland received Charles's full support. But ultimately negotiations with the Estates were resumed, and the expedition of Montrose was in the end employed as an attempt to coerce the authorities in Scotland into modifying the terms which they desired to impose upon their King. The admirers of Montrose seem to be under an error with regard to the purpose of his last enterprise. They generally quote the bombastic lines written by him after the execution of Charles I, in which he speaks of the tears needed for lamenting that Monarch's death as being sufficient to produce a second Deluge and promises "to write his epitaph with blood and wounds",[2] and then they proceed to tell the story of his invasion of Scotland as though it were a fulfilment of that vow. There is, however, a considerable difference between

[1] *Acts of Parl. of Scotland*, vol. VI part 2, p. 157.
[2] Quoted in Dr. Gardiner's *Commonwealth and Protectorate*, vol. I p. 22.

avenging the death of the Royal Martyr and attacking people who were innocent of any share in it in order to bully them into surrendering their liberties. Had Montrose desired to punish those who put Charles to death one would have expected him to land in Kent rather than in Caithness. That before he set foot on the mainland of Scotland he was aware of the ignoble part that he was to play is evident from Charles II's letter to him, which he duly received and to which he replied from Kirkwall. "Your vigorous proceeding", wrote the King, "will *be a good means to bring them to such moderation in the said treaty* as probably may produce an agreement and a present union of that whole nation in our service."[1] At the beginning of May 1650, Charles II signed a draft agreement with the Scotch Commissioners, and there is reason to believe that he stipulated for the safety of Montrose on the latter's laying down his arms. But already the battle had been fought in Sutherland which crushed the Royalist enterprise and left Montrose a prisoner in the hands of those whose righteous anger he had done so much to provoke. The wanton and wicked invasion of Scotland at a time when Charles II had begun negotiations with the Committee of Estates earned for its promoter the penalty of death. His brilliant and chivalrous qualities, however, make us wish that in the manner of his death his judges had been more like "sacrificers" and less like "butchers".[2]

At the close of the year 1649 Lord Lorne returned home to Scotland after his Continental travels,[3] and in the following year he married Lady Mary Stewart, eldest daughter of the 4th Earl of Moray.[4] The marriage took place on Monday, May 13th, at Moray House,

[1] Gardiner, *Commonwealth and Protectorate*, vol. I p. 209. The italics are ours.

[2] *Julius Caesar*, Act II Sc. 1. For details of the treatment Montrose received see Nicoll, *Diary*, p. 12.

[3] *Case of the Earl of Argyll* (1683), p. 61.

[4] Lamont, *Diary*, p. 20

Edinburgh, and it has been maliciously suggested that part of the wedding festivities was furnished by the sight of Montrose being led as a prisoner up the Canongate. We need not at any rate suppose that the joy naturally belonging to such an occasion was seriously damped by the thought that a public enemy and one who had devastated the territory and crippled the military power of the House of Campbell was at last in the hands of the authorities. One regrets, however, to read of the procession being witnessed from the balcony of Moray House and of the cart in which the prisoner sat being delayed for a few moments before the door. [1] Yet it is gratifying to know that the ferocity of mutual hatred with which some have credited the principal personages concerned is largely the figment of modern political partisans. As a matter of fact the children of the Marquess of Argyll and the Marquess of Montrose were reconciled. The son of the man who had won the battle of Inverlochy visited Inveraray as a guest in the August of 1667, [2] and at his funeral two years later the then Earl of Argyll was present both in the capacity of a friend and in that of guardian of the boy who had then become the 3rd Marquess of Montrose. [3]

A few weeks after the execution of the envoy whom he had sent to terrorize the people of Scotland, Charles II himself landed in that country and entered upon the brief but troubled sovereignty which his feigned acceptance of the Covenants had procured for him. A regiment of horse and one of foot were raised as Life Guards, and Lord Lorne was appointed Colonel in

[1] Napier, *Life of Montrose*, vol. II, p. 781 : Fountainhall, *Historical Observes*, p. 185. There is no evidence to prove that orders had been given for the cart to stop. The crowd in the street outside Moray House may have blocked its progress for a moment, or the driver may have paused in the belief that this would gratify those on the balcony. The exit of some from the balcony into the house (Napier, *Life of Montrose*, vol. II, p. 779) suggests that the incident was unforeseen and disconcerting.

[2] *Add. MSS.* Brit. Mus. 23,127: fo. 211 : see also *Lauderdale Papers*, vol. II. p. 54.

[3] *Hist. MSS. Com.* 6th, Report, p. 609a.

command of the foot. His Lieutenant-Colonel was a James Wallace who had seen a good deal of service in Ireland and Scotland during the Civil Wars, and who afterwards played the most prominent part on the Covenanting side in the Pentland Rising of 1666. The soldiers under their command are described as the "choicest of the army and fittest for that trust", i. e. for immediate attendance upon the Sovereign. The cause which they were pledged to maintain was inscribed in "grate gold letters" upon their standards: "Covenant for Religione, King and Kingdomes".[1] For five or six years past military commissions had been issued on the authority of the Estates of Parliament; but Lord Lorne refused to accept his colonelcy without a direct commission from the King. This was granted, and no doubt Charles was gratified by the respect thus manifested for his royal authority at a time when it had been reduced to little more than a name.[2]

In the position which he held, it was in the power of Lord Lorne to render the situation of the King even more irksome than it was for some time after his return to Scotland. By sullenness of disposition, a disloyal temper, or personal animosity he might easily have become more like the gaoler in whose charge Charles was than his officer and servant. But we have reason to believe that he discharged his office in such a way as to earn, if not to secure the gratitude of the King. The latter soon learned that he had in Lord Lorne a devoted servant and a most trustworthy adherent. Bishop Burnet says of him that "he made his court more dexterously [than his father]; for, he brought all persons that the King had a mind to speak with at all hours to him, and was in all respects not only faithful but

[1] Balfour, *Annals*, vol. IV, p. 84: *Acts of Parl. of Scotland*, vol. VI, p. 568. For notices of Wallace see McCrie, *Memoirs of Veitch*, etc. p. 355: *Acts of Parl. of Scotland*, vol. VI, p. 633.

[2] *Case of the Earl of Argyll* (1683), p. 61. This commission is still preserved at Inveraray Castle.

zealous."[1] Lord Clarendon does, indeed, speak of Lord Lorne's having treated Charles II at this time with rudeness and barbarity.[2] This historian, however, is not always deserving of credit in matters lying outside of his own personal knowledge while his prejudices against both the Marquess of Argyll and his son are unsleeping.[3] There can be no doubt that in this particular instance he was indebted to his imagination for his facts and that his imagination played him false. Lord Lorne was at this time and for long afterwards a genuine and thoroughgoing Royalist, and out of sympathy not only with the policy of the more extreme adherents of the Covenant but even with that of his father, which, though more moderate than theirs, still aimed at imposing serious checks upon the royal prerogative. Apart from the inherent improbability of Clarendon's statement and from the testimony contradictory of it which Burnet gives, we have abundant proof that Charles II regarded Lord Lorne with very different feelings from those with which harsh and disloyal treatment would inevitably have inspired him.

The treaty between Charles II and his Scotch subjects and his restoration to the throne of his ancestors were a menace to the English Commonwealth, and almost necessarily involved war between the two countries. The challenge was swiftly taken up, and on Monday, July 22nd, 1650, Cromwell entered Berwickshire with an army of sixteen thousand men. After six weeks of desultory warfare in which he failed to induce the Scotch general to come to an open engagement, and just when he was on the brink of a great disaster the English Commander won the decisive battle of Dunbar (Tuesday, Sept. 3rd). Lord Lorne's regiment took part in this conflict and suffered very severely. In a letter written shortly afterwards by

[1] *History of My Own Times*, vol. I, p. 57.
[2] *Life*, p. 499.
[3] We may refer our readers in proof of this to an extraordinary series of palpable falsehoods with regard to the Marquess of Argyll, which we have noted in *The Great Marquess*, p. 330 n.

Charles II to the Committee of Estates it is described as having been " altogether broken, and most of the officers killed or prisoners. " [1] In consequence of this, the King requests that steps be taken to raise the regiment to its former strength and he entrusts the nomination of new officers to its Colonel, " our cosen, the Lord Lorne ". The latter's military experiences were doomed to be unfortunate all through his career, but he never again witnessed a more crushing defeat than on the occasion of this his first battle. Nor was the calamity one from which the party upon which it was inflicted recovered. The power of those who had welded together for a time Scotland and England in the Solemn League and Covenant was for ever shattered, and the nation which had furnished soldiers and statesmen to support what it believed to be the cause of religion was unable to do more than furnish martyrs on its behalf in the evil days after the Restoration.

After the battle of Dunbar the more extreme section of the Covenanters refused to fight any longer in the cause of Charles II. Their action weakened the Covenanting authorities to such an extent that they were no longer able to exclude the royalist party from a share of the government of the country. In consequence of this change in the position of political parties, Charles II won a considerable measure of personal freedom, and was crowned at Scone, on Sunday, Jan. 1st, 1651.[2] Cromwell held the capital and the south of Scotland but for some time was unable to induce his opponents to risk a battle. Ultimately when he crossed into Fife and marched north to Perth the Royalist army undertook an expedition into England, only to be overtaken by Cromwell and defeated at Worcester, Wednesday, Sept. 3rd.

By the time Charles left Scotland on this expedition his relations with the House of Campbell had become somewhat strained. He had found the Marquess of

[1] Dated, Perth, Sept. 12th, and given in Thurloe, *State Papers*, vol. I, p. 164.
[2] For an account of this ceremony see *The Great Marquess*, p. 259.

Argyll predominant in Scotland and occupying a political position strongly defended by the Act of Classes, which virtually excluded all Royalists from office and even from service in the army. The change in the political situation wrought by the battle of Dunbar made the repeal of this Act and the consequent overthrow of the power of Argyll inevitable. But Charles II with considerable astuteness contrived to avoid an open break with the discredited statesman, until he could with safety cast him aside. Immediately after Dunbar he declared that he would still be guided by his counsels, and promised to bestow upon him the highest honours in his power. At the same time he pledged himself to repay the large sums of money expended by Argyll in the public service and supplied to the King himself.[1] Lord Lorne had been on terms of intimacy with Charles both as a devoted partisan and as Colonel of his regiment of Guards. The bond between them would have become still closer if a scheme which was then proposed had been carried into effect; for a suggestion was made that Charles should marry Lady Anne Campbell, the eldest daughter of the Marquess of Argyll. The object of such a proposed alliance was of course to steady the tottering throne by the support of the more ardent Presbyterians who for long had looked to the Marquess as their leader. It is not quite certain with whom the proposal in question arose, but the evidence seems to us to point to its being a device of the King or of the Royalist party to bind the Marquess to their cause at a critical time when the policy he had supported was being reversed; and as a matter of fact the negotiations in connexion with it were prolonged until the crisis was over.[2]

The Marquess of Argyll and his more intimate political associates were distinctly opposed to the plan of

[1] *Hist. MSS. Com.*, vol. VI, p. 606.

[2] We have given a full narrative of this curious incident in *The Great Marquess*, p. 263 *et seq.* We have only to add to what is there said that Burnet distinctly asserts that the scheme was one proposed by Charles II to Argyll after coming to Scotland (*History of My Own Times*, vol. I, p. 57).

invading England which was adopted by Charles II and declined to take part in it.[1] Clarendon admits that the reasons on which they based their declinature were not frivolous,[2] and indeed on the part of the leading councillors of the King, if not of the King himself the undertaking was like the gambler's final and desperate casting of the dice.[3] At Stirling the Marquess took leave of Charles II and returned to Inveraray, the ostensible ground of his departure being the illness of his wife.[4] We have no special information with regard to Lord Lorne's procedure at this time, but it is highly probable that he accompanied his father into Argyllshire.[5] Had he remained with the small force left in Scotland under the Earl of Leven, we should have expected to find his name in the list of nobles and gentry arrested at Alyth on Wednesday, Aug 27th., when General Monck with eight hundred cavalry captured at one fell swoop the principal supporters of Charles II's government.[6]

After the battle of Worcester the disarmament and subjugation of Scotland were carried out with promptitude. The country was formally united with England and its principal strongholds were occupied by English soldiers. The Marquess of Argyll endeavoured, but without success, to preserve some trace of national independence. It would seem as if he had desired to repeat, if possible, though on a reduced scale, his political move in 1648, when after the defeat of the Royalist army at

[1] Whitelocke, *Memorials*, pp. 501, 502.

[2] *History;* vol. III, pt. 1, p. 513.

[3] Cary, *Memoirs of the Civil War*, vol. II, p. 305 : Whitelocke, *Memorials*, p. 501.

[4] *State Trials*, (Cobbett), vol. V, p. 1376.

[5] It is quite certain that Lord Lorne took no part in the invasion of England on this occasion. There is not the faintest evidence that he dissented from the resistance offered by his father and other Scotch politicians to the scheme in question. He was certainly not one of the numerous band of Scotch nobles taken prisoner at Worcester. He makes no mention in the brief narrative of his life when on trial in 1681 of any such episode in his career. It would certainly have been to his interest then to lay stress upon it if it had occurred.

[6] Firth, *Scotland and the Commonwealth*, p. 8 : *Life of Robert Blair* p. 281: Nicoll, *Diary*, pp. 56, 108 : Lamont, *Diary*, p. 41.

Preston, the Whigs seized the reins of power in Scotland. Had his overtures been accepted, some form of Parliamentary government would have been set up in close alliance with the English Commonwealth and almost necessarily in complete subordination to it. But the English statesmen, after having experienced two formidable invasions from Scotland in the course of three years, were resolutely determined to prevent further danger of the kind from that quarter, and refused to allow the exercise of any authority in Scotland which was not derived from the Parliament of the Commonwealth of England.[1] Reluctantly the Marquess of Argyll submitted to the pressure of circumstances, though, with a pertinacity which irritated the English authorities but should win favour for him from the friends of national independence, he postponed final acceptance of the terms offered him until Parliamentary troops had already entered the Highlands to compel his assent.[2]

In a news-letter of Tuesday, Mar. 2nd, 1652, we learn that Lord Lorne was then at Inveraray with his parents and sisters. An air of depression hung about the place which for so long had been a centre of influence and activity, whenever the Marquess had been resident there. For besides the members of the family already specified there were, we are told, no persons of equality about the house. A messenger from the English Commissioners had visited Argyllshire with some communication from them and it is from him that the information is derived. He said that he saw no soldiers at Inveraray, and that he considered that there was no evidence to verify the rumour that the Marquess was levying another army for a renewal of the conflict with the English authorities. He also reported that the chaplain in the castle usually prayed for the King under the general

[1] Nicoll, *Diary*, p. 80.
[2] *The Great Marquess*, p. 280.

description of "a distressed prince"—a practice which at that time was widespread.[1]

On Thursday, Aug. 12th. of the same year, the Marquess accepted the Union of England and Scotland and promised to live quietly under the Parliament of the Commonwealth of England, until the system of Government without King or House of Lords was extended to Scotland. A week later Major-General Deane concluded an Agreement with him the stringency of the terms of which indicates both fear of his power to disturb the public peace and a suspicion of his good faith occasioned by his long hesitancy. The Agreement in question prescribed that the Marquess should not only bind himself to do nothing directly or indirectly to the prejudice of the authority of the Commonwealth, but should also use his influence to secure a loyal obedience to it on the part of the members of his family and clan. In case of his learning of any active disaffection among the latter he pledged himself to report the fact to the officers of the nearest garrison, or to the Commander-in-Chief in Scotland. He also promised that either he or Lord Lorne would be willing to surrender to the Parliament or Council of State, if required, and not to remove without leave from any place appointed for their residence, and that he would pay assessments and other public burdens duly levied, and give up a number of his strongholds to be garrisoned by English soldiers. The only provisos in his favour were that he was not to be held as prohibited from seeking to promote and establish religion in accordance with his conscientious convictions, that neither he, nor Lord Lorne, if called upon to give themselves up to the English government and submit to surveillance, should be confined within a compass of less than twenty miles, that they should have free access to Parliament and to the Council of State, and that neither the Castle of Inveraray nor that at Carrick should be

[1] Firth, *Scotland and the Commonwealth*, p. 38. For the rumour referred to see *Ibid*, p. 17.

garrisoned unless upon extraordinary necessity. On condition of the Articles of Agreement being faithfully adhered to the Marquess was assured of liberty and of the full possession of all his property and rights.[1]

The most galling of the obligations under which he came was his pledging himself to give notice to the military authorities of any active disloyalty on the part of his family or clan ; and there can be no doubt that this obligation was imposed upon him because the fact was notorious that Lord Lorne was a devoted partisan of Charles II. It can scarcely be held that this was a stipulation which the English Government had no right to make. The Marquess as the head of a clan was understood to exercise an almost royal power over all acknowledging his authority, and this mere fact imposed upon him a certain measure of responsibility for their good behaviour, and for their observing obligations incurred by him with regard to them. However mortifying, therefore, the Articles of the Agreement might be to Argyll's pride and dignity, the English authorities would have been foolish had they made them less stringent. Yet in the manner in which Major-General Deane conducted the negotiations there was nothing but what was peaceful and conciliatory. " We ", says one of his brother officers, " are turning every stone, stroking every man, and seriously endeavouring a right understanding from [? with] these people, if it may be to a compliance with us, or at least to no hostility against us ".[2] Yet they were conscious that their endeavours were likely to be in vain, and but for the risk of exciting an immediate rising they would doubtless have taken the Marquess away with them as a prisoner.[3]

Their apprehensions were by no means without foundation, for Deane had no sooner turned his back upon Argyllshire than three of the five garrisons he had left

[1] Firth, *Scotland and the Commonwealth*, p. 48.
[2] *Ibid*, p. 365 : a letter from Inveraray, Aug. 18th, 1652.
[3] *Ibid*, pp. 365, 366.

there —those of Loch, Kincairn and Tarbet— were surprised by the Highlanders.[1] Years afterwards, when Lord Lorne was being tried for his life, he mentioned as a proof of his loyalty that he had planned and carried out this exploit. "General Major Deane", he said, "coming to Argyllshire and planting several garrisons, he no sooner went away but we fell upon the garrisons he had left, and in one day took two of them, and cut off a considerable part of a third and carried away in all about three hundred prisoners."[2] The Marquess interposed to secure the safety of the English soldiers who had been taken prisoners, and evidently offered to restore the garrisons. The military authorities however, did not re-occupy the posts which had been so easily overpowered, and a short time afterwards (Wednesday, Oct. 27th, 1652) they made a fresh arrangement by which they retained possession only of Dunstaffnage and Dunolly Castles.[3]

The Marquess of Argyll had been a reluctant party to these various negotiations, and as he afterwards alleged, the Articles of Agreement were virtually extorted from him;[4] but he was resolutely opposed to a renewal of war in the then condition of Scotland. Apart from the fact that his territory was specially liable to invasion by sea the military power and resources of those now forming the Government of the Commonwealth had been illustrated too often to allow him to believe that anything but ruin would result from a premature rising in favour of Charles II.[5] In the country at large, however, the general discontent was so great as to convince many that such an undertaking was feasible. Of the two factions into which the Church was divided that of the Resolutioners was Royalist in its politics, while that of the

[1] Firth, *Scotland and the Commonwealth*, p. 366. Dunstaffnage and Dunolly made up the five garrisons.
[2] *Case of the Earl of Argyll*, p. 61.
[3] Firth, *Scotland and the Commonwealth*, pp. 368, 55, 60.
[4] Wodrow, *History* vol. I, p. 144.
[5] Firth, *Scotland and the Commonwealth*, p. 134.

Protestors had no love for the English Sectaries. The Assessment levied to maintain the large number of troops needed as an army of occupation was a heavy burden upon a small and impoverished country, and was difficult to collect. In addition to this a considerable number of the nobility and gentry were in such a position that rebellion had attractions rather than terrors for them. The large majority of them were insolvent in consequence of debts incurred during the long years of war which their country had experienced, and of the diminution of income occasioned by the devastation which had taken place in so many places in Scotland.[1] When peace was established and the ordinary legal machinery for the recovery of debts was again in operation, they were hard pressed by their creditors and threatened with ruin. The condition of many became so desperate that a successful revolution seemed the only way in which to effect a change for the better in their circumstances.[2] In short the question was soon forced upon the consideration of the ruling powers as to whether a comparatively small number of persons should receive immediate payment of the debts due to them or the peace of the whole nation be disturbed.[3] In these circumstances when the causes of discontent in the country were so numerous, it is not wonderful that some of the leading Royalists thought that the war with Holland in which England was involved in the Summer of 1652 provided a convenient opportunity for attempting to recover Scotland for Charles II.

About this time a number of the Scotch nobility and

[1] Baillie, *Letters*, vol. III, p. 249 : "Our nobilitie weell near all are wracked". He goes on to describe the ruin of all the great houses and the general impoverishment which prevailed : see also Ibid, p. 387.

[2] Firth, *Scotland and the Commonwealth*, p. 185. They were in a similar position to Otho who said shortly before his rebellion against Galba "*nihil referre, ab hoste in acie, an in foro sub creditoribus, caderet,*" (Suetonius, *Otho*, c. 5).

[3] Firth, *Scotland and the Commonwealth*, pp. 267,296. This condition of matters surely reached its acme in Dec., 1653, when we read of there being thirty-five thousand "captions", i. e. warrants for apprehension, out against men (*Ibid*, p. 289) : *Lauderdale Papers* vol. I, p. 9 n.

gentry sent an account to Charles of the state of matters in their country and urged him to take action. He had indeed little power to do anything in the way of assisting the would-be insurgents, but he appointed Lieu.-General Middleton Commander-in-Chief of forces that might be raised for carrying out the enterprise in question.[1] Middleton had, like many other men of his time, fought both against and for the Royal cause. He had been a Lieutenant of Montrose when that versatile soldier was a furious Covenanter and had also used his sword effectively on the Parliamentary side at Marston Moor. His services, however, in the Royalist interests at Mauchline Moor and at Worcester might be held to condone his earlier exploits. After the last named battle he had been a prisoner in the Tower but had succeeded in escaping "disguised in his wife's clothes" and in joining Charles II in Paris.[2] His military ability was considerable and his present political opinions were such as to gain for him the confidence of the King and his principal advisers. Hyde says of him: "He is the soberest man I have met with and very worthy of any trust, having the greatest sense of the errors he hath formerly committed, and the best excuses for them that I have found from any".[3] Doubtless Hyde remembered with a twinge of contrition that he himself had been an opponent of Charles I in the early days of the Long Parliament.

Scarcely anything was done in the way of promoting the insurrection in the Highlands for nearly a year. A serious illness of Middleton's and Charles's empty exchequer amply account for the delay. In the meantime the Highland chiefs were growing impatient to begin operations, and in March, 1653, the Earl of Glencairn, who had offered his services, was appointed Commander-in-Chief in Scotland until Middleton should arrive.[4] The

[1] Firth, *Scotland and the Commonwealth*, p. 46.
[2] Kirkton, *History*, p. 67n.
[3] *Clarendon State-papers*, vol III, p. 56.
[4] Firth, *Scotland and the Commonwealth*, p. 99.

attitude taken up by the Marquess of Argyll towards this movement was hostile from the first. He had promised to live quietly under the Government of the Commonwealth and he kept his promise. He also lay under the obligation to assist that Government in keeping order in Scotland. Had he been merely a private citizen it would have been tyrannical on the part of the English authorities thus to impress him into their service. But as he was virtually a semi-independent potentate it was but reasonable that he should be required by those who had confirmed him in his tenure of office to use his power for the maintenance of order. His son, Lord Lorne, however, chose to ignore the Articles of Agreement with the English Government and to cast in his lot with the Royal cause. In a report as to the condition of matters in Scotland sent by Sir Robert Moray to Charles II, Argyll is said to oppose the rising merely for self-preservation, and to be firmly convinced that it would come to nothing, and that it would be disastrous for both the Highlands and Lowlands. "But my Lord Lorne", he goes on to say, "as your Majesty will find by his letters, hath ever been without the meerest shaddow of complyance of any kind most invincibly constant and faithfull to your Majesty's service and interest, [and] will most fully, heartily and actively joyne with those that appear here for your Majesty, as they all know, should it cost him all he values most on earth. So will his brother and friends". [1]

We have already referred to the opinion that father and son in thus taking different sides in politics acted in collusion with each other. Some who have formed an unfavourable estimate of the Marquess of Argyll have compared his conduct to that of such men as Lord Lovat a hundred years later, who adhered to the Hanoverian Government while he sent his son out to assist the Young Pretender. We think, however, that the comparison is unfounded. Argyll was in the grip of the Government

[1] Firth, *Scotland and the Commonwealth.* p. 134.

of the Commonwealth, and his position was most seriously compromised and endangered by the action of his son. The enterprise to which Lord Lorne committed himself was in his father's opinion utterly desperate. Accordingly it seems to us that the idea of collusion between them is quite out of the question. From Argyll's point of view his son's procedure was frantic folly : while Lord Lovat believed that the cause of the Young Pretender was by no means hopeless. The very astuteness with which Argyll is credited even by his enemies forbids one to suppose that with his strongholds in the possession of English soldiers, under the jealous surveillance of a Government that was ready to crush him if they were convinced that he was playing them false, he would have consented to his son's embracing a cause which he believed to be at the time doomed to failure.

CHAPTER III.

Royalist rising in the Highlands—Lord Lorne joins in it—His father's remonstrances with him—The Royalists invade Kintyre—Quarrels between Lord Lorne and Lord Kenmore.

Late in 1652 and early in the following year the English Government received information which led them to suspect that a new rebellion was brewing in Scotland. The landing in Fife of an emissary from Charles II and the suspicious movements of Macdonald of Glengarry whose disaffection towards the Government was well-known, convinced Lilburne, the Commander-in-Chief, that "the clouds were gathering and threatening some disturbance". The Marquess of Argyll had informed him that Glengarry was holding frequent meetings with Highlanders and Islanders, but that he did not know for what purpose. Lilburne, however, had no doubt as to what was in the wind, for in writing to Cromwell he says: "The arrival of a messenger from young Charles hath putt a great deale of life into these kinde of cattell, and itt is to bee reade in many of their countenances what they shortly intend"[1]. For a time at least the Commander-in-Chief of the English forces in Scotland regarded the movement with contempt. "I doe not value much", he said, "all that can bee done against us by such a rable". As, however, he had reason to believe that some of Argyll's own clan and kindred

[1] Firth, *Scotland and the Commonwealth*, pp. 83, 84.

sympathised with the rebels, he hinted to the Marquess that a word of warning to them would be seasonable. He also said that some of those who had been summoned by the rebels to assist them and were unwilling to do so would, he was sure, be glad to receive definite orders from the Marquess to abstain from affording them any help [1]. There can be no doubt that these hints were taken and that the Marquess who was as anxious as Lilburne himself could be that the country should remain in peace, used his influence to hinder the outbreak. He wrote at once from Castle Campbell where he was staying at the time, to Lilburne, protesting his ignorance that any of his people were engaged in the business, and promising on his return to Inveraray, which was soon to take place, to send for some of those known to be disaffected to the Government and to try to convince them of the folly of any attempt on their part to overthrow it [2].

The first overt act of rebellion took place in the island of Lewis. Lord Seaforth, the then proprietor, was one of those engaged to rise in favour of Charles II and was at that time in the island. An English agent of the King's calling himself Crawford, "a black proper man",[3] as Lilburne describes him, was with him. Early in June a man-of-war appeared off the coast and was first thought to be a vessel that had come to take away the Royal emissary. It turned out, however, to be a privateer, *The Fortune*, commanded by a Captain Edwards, sailing under letters of marque from the Government of the Commonwealth. Some gentlemen from the island boarded her and gave permission for a boat's crew to be sent ashore for fresh meat. A lieutenant and seven men accordingly went off but were arrested on landing; and when signals were made for their return a letter signed by Seaforth was sent on board ordering the Captain to

[1] Firth, *Scotland and the Commonwealth*, p. 85.
[2] *Ibid*, p. 88.
[3] *Ibid*, p. 157. The phrase of course means "a dark handsome man".

deliver up the vessel for His Majesty's service. Edwards replied by indignantly demanding that his men should be sent back to him. After some days' detention they were set at liberty.[1] Lilburne's irritation at the incident was very great. He promptly gave orders for the arrest of the principal members of the clan Mackenzie, of which Seaforth was the head, and requested Cromwell to give orders for several men-of-war to proceed to the scene of the outrage. "I doubt nott", he said "but what wee may bee able to doe uppon that Island will soe startle the whole Highlands and Islands that wee shall nott bee much troubled with them in such like cases hereafter. Undoubtedly to make the Lord Seaforth and his Island (called the Lewes) exemplary will bee a very great advantage to the peace of this nation."[2] His request was complied with and Colonel Cobbett with several war frigates proceeded to the island. They, however, did not meet with any resistance on landing. The Earl of Seaforth after doing something to fortify the port of Stornoway had, together with many of the leading inhabitants of Lewis, crossed to the mainland of Scotland, leaving a natural brother of his as governor of the island. On the approach of the English forces the governor and his men fled to the hills, but shortly after on Colonel Cobbett's issuing a proclamation ordering submission and the surrender of arms, they came in and gave up their weapons. Several companies of English soldiers were stationed there and they fortified the port of Stornoway, not only to guard against a fresh outbreak of the Royalists but to hinder any attempt on the part of the Dutch to possess themselves of the place, for it was supposed that they had an eye upon it.[3]

[1] Firth, *Scotland and the Commonwealth*, pp. 140, 157, 160.
[2] *Ibid*, p. 148.
[3] *Ibid*. pp. 221, 226 : Whitelocke, *Memorials*, p. 564. It is a rather remarkable fact that the Royalists were quite willing to pawn or give Skye, Lewis, or the Shetland Isles to the Dutch for the use of their fishing fleet or their navy (Firth, *Scotland and the Commonwealth*, pp. 158, 185, 234 : Thurloe, *State-Papers*, vol. I, p. 478).

A more formal declaration of war was communicated to Colonel Lilburne by the Earl of Balcarres and Sir Arthur Forbes, both of whom were prominent leaders of the Royalist party, and had eighteen months before capitulated to the English Goverment. By mutual arrangement they now both wrote to the Commander-in-Chief complaining that the most important Articles of Agreement with them had been violated either at his instigation or with his consent, and stated that they no longer held themselves bound to obey the Articles in question. The resolution to which both had come was expressed by Lord Balcarres. He said he had felt obliged notwithstanding ill-health ' to retire himself somewhat further out of the way where he might have some more hope of freedom than he had reason to expect where he was.' Both of them gave the wild mountainous region of Lochaber as their present address. It was somewhat vague, but in the circumstances this was no disadvantage, at any rate so far as they were concerned. [1]

On Wednesday, July 27th, 1653, the standard of Charles II was set up at Killin in Perthshire, and from various parts of the Highlands and of the adjoining country armed men began to gather for the defence of the cause which had already cost Scotland so dear. The hopes of those who thus plunged the country once more into the misery and disorder of war did not rise very high. Their plan was to avoid meeting the forces of the Commonwealth in open field, to attack small parties of the enemy, and by sudden raids and all the various methods of guerilla fighting to exhaust the patience and resources of their opponents. For carrying on war on a larger scale than this they trusted to foreign help, and they imagined that the readiest way of obtaining this was to have an army of some kind on foot in Scotland. Aid from abroad would probably be but slowly afforded in response to mere promises to begin proceedings, but

[1] Firth, *Scotland and the Commonwealth*, pp. 146, 147.

it might be expected to flow more freely if it could be reported that the campaign had already begun.[1]

It is quite certain that Lord Lorne had from the first decided to join the insurgents. He wrote fom Inveraray on Thursday, April 14th, to Lord Wilmot and to Charles II to assure them of his "constant loyalty to His Majesty's royal persone, family, and government", and of his desire to do His Majesty service according to his power. In the same letter he referred to an earlier missive of the same kind which he had sent, and to tidings with regard to the state of the country which he and his kinsman, the Earl of Loudoun, late Lord Chancellor of Scotland, had despatched to the King by another envoy.[2] Almost two months before the Royal Standard was set up there had been a meeting of Royalist leaders near Killin at which the commission to Glencairn had been read, and oaths of mutual fidelity and of secrecy had been taken. Neither Lorne nor the Earl of Loudoun was present at this meeting, but both were represented at it by proxy, and so were pledged to what was then done.[3] From this date, therefore, Lord Lorne was committed to the formidable enterprise of attempting to overthrow the military rule which had established itself so firmly upon the ruins of the monarchy and had time after time shattered the powerful armies which Scotland had raised for the support of the Royal cause.

The Marquess of Argyll had promised Lilburne to use his influence with the disaffected in his neighbourhood to hinder, if possible, their entering upon violent courses. As he tells us himself, in one of the letters which he wrote to Lilburne and which was afterwards used at his trial to secure his condemnation, on his return home he resolved to know if 'he was clear in his own family.' He sent for Lord Lorne and asked him if he had come under any engagement to those who were now stirring.

[1] Lamont, *Diary*, p. 75 : Firth, *Scotland and the Commonwealth*, p. 147.
[2] *Ibid*, pp. 120, 121.
[3] *Ibid*, p. 144.

The answer was that he had not, but that he would give no promise to keep aloof from them. From some expressions he had let fall in private conversation it was thought by those who had reported them to his father that he had no intention of joining the insurgents. His real purpose, however, was soon revealed, for immediately after this conversation with his father he left the house and rode off to Glenurquhay, where he met with Sir Arthur Forbes, Sir Duncan Campbell of Auchinbreck, a kinsman of his own, and other Royalist leaders. [1]

So far as Lord Lorne was concerned, his joining the insurgents was perhaps to his mind a matter of duty, now that the Earl of Glencairn by the authority of Charles II summoned all loyal subjects to the defence of the Royal cause; but the breach of filial duty which resulted from his obedience to that summons was deplorable in the extreme. He not only disobeyed his father but seriously compromised him with the authorities, and virtually compelled him to secure himself against present danger by that active co-operation with the Government of the Commonwealth which afterwards cost him his head. Of course he did not foresee this result; for while our actions are voluntary the consequences to which they may lead are governed by laws which are quite out of our control. "There is a way" says the Royal Seer, "which seemeth right unto a man, but the end thereof are the ways of death." [2]

The Marquess immediately despatched after his son a letter of remonstrance and entreaty which must have been very bitter for him to write and for his son to read. In it he conjures his son by the fear of God, by the law prescribing obedience to parents and the penalty for the sin of despising father or mother, to forbear his present course. The intensity of feeling which inspires the closing words of the letter gives them tragic power. "If yet for all this", he says, "God harden your heart to

[1] *The Great Marquess*, p. 381.
[2] *Prov.*, XIV, v. 12.

your owne destruxion and tryall or trouble of others, Then let all the guiltinesse and prejudice that may follow such waies fall on yourselfe and cleave to you and your adherents and noe other belonging to you : And let all the curse and judgements pronounced in God's word against disobedient children to parents come upon you and pursue you til they overtake you, and let no thing you take in hand prosper, for you are a crosse (I may say a curse) to your father and heavinesse to your mother, if you continue in your waies. But if you repent and returne, God will have mercy, you shall escape the miserye and I shall remayne, Your loving father ".[1] We do not envy the mental acumen or the moral temper of the critic who can discern nothing in the letter but a device to blind the eyes of the Government of the Commonwealth, and who can persuade himself that Lord Lorne went out to support the Royalist cause at his father's instigation or with his father's consent.

The Marquess of Argyll and his son both appealed for support to the principal members of their clan. The former raised a few men for the defence of his own person, since his opponents had the audacity to assemble within five miles of Inveraray,[2] and he summoned a meeting of the leading gentlemen of Argyllshire to consider the present state of affairs in their district. The same persons immediately thereafter received a summons from Lord Lorne to join the Royalist party. But though political feeling ran high between different sections of the clan Campbell, the authority of the Marquess was still strong, and the majority of those to whom both father and son had appealed adhered to the party of their chief. A letter was sent to Lord Lorne from a meeting held at Inveraray by his father's supporters, in which in moderate but firm language they deprecated his departure to assist in the rebellion and entreated him to return.[3]

[1] Firth, *Scotland and the Commonwealth*, p. 166.
[2] *The Great Marquess*, p. 381.
[3] Firth, *Scotland and the Commonwealth*, p. 167.

Both his father's commands and the entreaties of his "affectionate friends and cousins" were, however, in vain, for the extent to which Lord Lorne had already compromised himself forbade his retracing his steps, even if he had been willing to do so. His father accordingly had no option but to declare all who adhered to him to be traitors, and to co-operate with those whose duty it was to maintain law and order in Scotland. [1]

It would be a task of extreme difficulty to give any kind of connected narrative of the guerilla war that went on in Scotland for the next thirteen or fourteen months. The first aim of the insurgents was, as we have said, to have an army on foot even if it were but little more than an army in name, in the hope that it would be brought up to full strength and equipment by the troops, arms, and ammunition which, it was thought, Middleton would bring with him from the Continent. The hope was strong also that the Dutch fleet would render some aid to their cause in order to injure the Government of the Commonwealth with which they were now at war. This latter hope, however, was soon dissipated by the news of the battle of the Texel (Sunday, July 31st, 1653), in which the Dutch fleet was shattered by Monck and the great Admiral Tromp slain. [2]

The first gathering place of the insurgents was in the region between Lochaber and Inverness, and they assembled there to the number, as Lilburne was informed, of about twelve hundred. He, however, attached but little importance to the rising which he thought would soon come to an end, as he was led to believe that there was no general inclination even among the inhabitants of the district to join them. But three days later he had to report to Cromwell that there was risk of Stirling and of Perth being attacked by the enemy, and that the

[1] Whitelocke, *Memorials*, p. 563. Firth, *Scotland and the Commonwealth*, p. 193.

[2] *Ibid*, pp. 122, 151 : Whitelocke, *Memorials*, p. 562 : *Life of Robert Blair*, p. 309.

rebellion was spreading into the Fraser country beyond Inverness. Lilburne's position was certainly not to be envied as the troops at his command were utterly unable to cope with the danger that threatened them. In the warfare now being waged cavalry were needed above all things, and in this department he was very ill provided. His stock of ammunition also was at a low ebb and he was at his wits' end for money. The soldiers' allowances were several months in arrears, and it seemed as if the work of building the fortifications decided upon as absolutely necessary for holding the country would have to be stopped in consequence of inability to pay the workmen their wages. [1]

Lilburne's pressing entreaties for more cavalry were not answered until five months later when two regiments of horse along with one of foot were despatched into Scotland. [2] The forces at his command when the rebellion broke out were about twelve thousand infantry and two thousand two hundred cavalry. [3] With these he had to maintain a great number of garrisons throughout the country, to guard passes by which raids might be made from the Highlands into the Lowlands, to hinder parties of rebels from joining those who had now taken the field, and to put down the moss-troopers on the Borders who had again begun their old marauding practices. In the meantime until help arrived from England he impressed as many horses as he could lay hands on, and turned some of his infantry into cavalry. [4] Constant employment used up the horses in a very short time, and by the end of the year Lilburne declared that he had not more than twelve or thirteen hundred cavalry fit for service. [5]

The insurgents, however, were by no means a very efficient or united force. Their leaders were jealous and

[1] Firth, *Scotland and the Commonwealth*, pp. 164, 194, 195.
[2] *Ibid*, p. 305n.
[3] *Ibid*, p. XXXIII.
[4] *Ibid*, p. L : Lamont, *Diary*, p. 78.
[5] Firth, *Scotland and the Commonwealth*, p. 305.

suspicious of each other. The Highland chieftains were indisposed to serve under Glencairn who was a Lowlander, while the Lowlanders were anxious to be independent of the Highlanders whom they regarded as "barbarously cruel and treacherous." Only the commission from Charles II authorizing Glencairn to act as Commander-in-Chief until Middleton's arrival secured his position.[1] One Highland chief desired an Earldom as the reward of his loyalty, and this gave rise to endless heartburnings among his colleagues who resented his claim.[2] Glencairn distrusted Lord Lorne and very soon the latter had a serious quarrel with his own cousin, Lord Kenmore, who had joined the insurgents in consequence of his estates having been confiscated by the Government.[3] Indeed Lord Lorne's whole career in this insurrection was a stormy one, in so far as his relations with his brother-officers were concerned. Though he was but little in stature his spirited courage was of the most inflammable type,[4] and he might have stood as a representative of his nation which for centuries had provided Europe with a standard of chivalrous bravery by which the claims of others to that quality might be measured.[5] No sooner had he and Glengarry set eyes on each other in the insurgents' camp than they flew at each other like wild-cats, as Campbells and Macdonalds had done for generations. Lilburne had the satisfaction of reporting this incident to Cromwell, and he added, perhaps with a touch of disappointment natural to one who loves a well-fought fray, that "they were prevented from fighting, yet parted great enemies."[6]

[1] Firth, *Scotland and the Commonwealth*, pp. 99, 185, 251.
[2] *Ibid*, p. 310.
[3] Baillie, *Letters*, vol. III, p. 250 : Firth, *Scotland and the Protectorate*, p. 400.
[4] Compare Kinglake's description of Dr. Keate : "He was little more (if more at all), than five feet in height and was not very great in girth, but in this space was concentrated the pluck of ten battalions" (*Eothen*, chap. XVIII).
[5] *Fier comme un Ecossois.*
[6] Firth, *Scotland and the Commonwealth*, p. 222 : Thurloe, *State-Papers*, 478 : Whitelocke, *Memorials*, p. 565, but "Glencairn" erroneously given for Glengarry.

As the insurgents were not strong enough to take the open field against their opponents they broke up into marauding bands and departed into different districts of the country. Lord Lorne and his cousin, Lord Kenmore, with about two hundred and sixty horse and foot, lay for a short time in the region of Menteith a few miles to the west of Stirling.[1] Colonel Reade who was in command of the garrison in that town determined to make an attempt to root them out. Lilburne's report of the skirmish that followed gives us a vivid little picture of the fruitless, irritating character of the warfare in which the English forces in Scotland were now compelled to engage. "Colonel Reade, pursuing them", he said, "about a mile and half amongst cragges and strange places, killed but 2 or 3 in the pursuite[and] was glad to retreate, the night being neere, and noe provisions to bee had for man or horse in that place, which the Higlanders perceiving run very fast to the Hills that flank't him as hee retreated, killed 2 of his men, and Major Creede's trumpett[er], and 2 horses, and gall'd divers both men and horse besides."[2]

News of this success, trifling though it was, attracted numbers to Lorne and Kenmore's standard only to be scattered again when news arrived that Lilburne himself had marched unto the west to save Glasgow from falling into the hands of the insurgents. The latter then retired by Loch Lomond to the head of Loch Long and thence into Argyllshire. A somewhat amusing description is given of the rebels in a weekly newspaper of the time (Oct. 20th-27th): "his [Kenmore's] men run away from him daily so that what he increaseth one day he loseth another. He marches with a rundlet of strong waters before him which they call 'Kenmore's Drum'."[3] This last-mentioned circumstance suggests that the value of

[1] Firth, *Scotland and the Commonwealth*, p. 203.
[2] *Ibid*, p. 204.
[3] *Mercurius Politicus*, quoted in *Military Memoirs of the Great Civil War*, p. 209: Whitelocke, *Memorials*, p. 567.

ardent spirits for promoting loyal ardour had been discovered even in those early days of distillation.

The Marquess of Argyll had already shown his fidelity to the Government of the Commonwealth in the aid he had given to Colonel Cobbett in his expedition to the Western Isles. The latter had been crippled by losing several ships by shipwreck, and had had to return overland from Dunstaffnage. He freely declared that he would never have got through in safety but for the protection which the Marquess had been able to afford him.[1] In the divided condition in which his clan then was Argyll was unable, as he assured Lilburne, to hinder the forces under Kenmore and his son from advancing into his country, though they amounted to no more than five or six hundred horse and foot.[2] Lilburne repeatedly complained that the people of Scotland in general and even the ministers of religion sympathised with the insurgents and would give no information regarding their movements until they were well out of reach.[3] The people of Argyllshire shared the sentiments of the nation at large. The Marquess had expressed a hope that some opposition would be offered to the entrance of the insurgents into his country, but he discovered as he now told Lilburne that his "countrymen and clan" would not oppose his son.[4] He, however, sent word that in Kintyre there was a section of the population from whom resistance might be expected. These were Lowland planters from Ayrshire who had been settled in that region during the past twelve or thirteen years, and were ardent Covenanters[5] and adherents of the Western

[1] *The Great Marquess*, p. 292 : Whitelocke, *Memorials*, p. 565.
[2] Firth, *Scotland and the Commonwealth*, p. 242.
[3] *Ibid*, p. 271 : Whitelocke, *Memorials*, p. 567.
[4] *Ibid*, p. 242.
[5] The late Duke of Argyll in *Scotland as it Was and Is* (1887), describes the survival of the same type of character in one of their descendants in Kintyre whom he had known and visited : "He was exactly the sort of man who would have led the singing in a congregation in the hills when the ruffians of Charles II and of Lauderdale were already galloping upon them" (p. 223.) The Earl of Rothes afterwards called Kintyre "a nest of cneaffs" [knaves] from the presence there of this class of people, (*Lauderdale Papers*, vol. I, p. 222).

Whigs who had repudiated Charles II. A number of them had held commissions as Colonels, Lieutenant-Colonels and Majors in the section of the Scotch army which after Dunbar had refused to fight any longer for the "Chief Malignant" and had made overtures to Cromwell.[1] Lilburne declared that if these men whose political views were so strongly opposed to those of the insurgents and with whom the Marquess's influence was very strong were to offer no resistance to the invasion, he would be forced to believe that he was being trifled with in the matter, or as he himelf phrased it, that there was some "jugling" among those whom he expected to support him.[2] The Lowlanders on the approach of the Royalists fortified and held the Castle of Lochheid in the hope of getting aid from the English troops stationed at Ayr or from the Marquess of Argyll. The insurgents demanded the surrender of all arms and ammunition and a contribution of eighty horses, and on being refused plundered the houses of the enemy and drove off their cattle. As no aid came to them from any quarter the Lowlanders after some ineffective skirmishing made terms with Lord Lorne and gave up the Castle. We can easily believe that Lord Lorne was inclined to condone the resistance he had met with, in view of the fact that these Covenanters were among the very best of the tenants on the estates which would probably one day be his own. At any rate his colleague, Lord Kenmore, thought that they had been far too leniently treated, and went off in great indignation to lay a complaint before Glencairn.[3] Lilburne reports a conversation with the Marquess at Dalkeith while these matters were in progress. "He seemes", says the English commander, "to bee very much afflicted with these proceedings, and threatens his sonne very much and seemes to wish that there were a good force of ours in the Country, [even]

[1] Carlyle, *Cromwell*, vol. III, p. 80.
[2] Firth, *Scotland and the Commonwealth*, p. 234.
[3] Baillie, *Letters*, vol. III, p. 250.

though hee gave us his owne house for our entertainment. But att this season of the yeare noe officers I can advise withall thinke itt practicable to venture into those parts."[1] We need not suppose that the desire expressed for a strong force of English soldiers at Inveraray was a mere device to blind Lilburne. With part of his clan hostile to him and being himself unable without exciting suspicion to raise any considerable body of troops for his own protection and the maintenance of his authority, he had no resource but to draw into yet closer association with the English Government. Indeed the Marquess was forced very soon after this to apply formally to Lilburne for a guard to protect him at Inveraray.[2]

The devotion of Lord Lorne to the royal cause was recognised by Charles II and a special message of thanks was sent to him. "You shall lett the Lord Lorne know," ran the King's instructions to an envoy, "that though the Rebells bragge much of the great assistance and benefit they have received by his Father's communication with them, yett wee are well pleased with the professyons he makes for himselfe and his Brother of their resolucions heartily to engage in our service." The gratitude expressed was, however, rather due to expectation than to retrospect, for Charles went on to say that it was his confident hope that all the friends and dependents of the family would follow their loyal example and that every endeavour would be made to stir them up to do so.[3]

[1] Firth, *Scotland and the Commonwealth*, p. 257 : Whitelocke, *Memorials*, p. 568.
[2] *The Great Marquess*, p. 294.
[3] Firth, *Scotland and the Commonwealth*, p. 254.

CHAPTER IV.

Correspondence with Captain Hill.—Royalist leaders dissatisfied with Glencairn.—Middleton supersedes him.—Monck suppresses the rising. —Lord Lorne surrenders to the English Government.

1653 After the raid into Kintyre Lord Lorne and Lord Kenmore found their way back separately into the heart of Scotland. The former betook himself into the neighbourhood of Glenurquhay in which many happy days of his childhood had been passed, though he found no countenance from his kinsman, the present laird, who was a steadfast supporter of the Marquess of Argyll and was on the best of terms with the Government of the Commonwealth. [1]

One of the main difficulties in the way of the insurgents was the existence of strongholds garrisoned by English soldiers in various parts of the Highlands. No general movement in the way of invading the Lowlands could take place with any hope of success while the country in their rear was thus firmly held ; yet of course mere guerilla soldiers such as they were, possessed no appliances for attacking and storming these fortresses. One of them, the Castle of Ruthven, dominated the the region of Badenoch, and was held for the Commonwealth by a Captain Hill, who many years afterwards took a prominent part in the proceedings which led up

[1] Firth, *Scotland and the Commonwealth*, pp. XLVIII, 268 : Thurloe, *State-Papers*, vol. VI, p. 352.

to the Massacre of Glencoe.[1] A correspondence between him and the Royalist leaders deserves a passing notice, more, however, because of its interesting character and Lord Lorne's share in it than because of any decisive result which it produced.

One of Glencairn's accomplishments was an ability to write letters and proclamations in a vein of sanctimonious piety, a practice usually supposed to have been in those days confined to Puritans and Covenanters, but in which even Charles II himself was no mean adept when it seemed to him expedient to use "the language of Canaan".[2] He now wrote to Hill to suggest that his fidelity to his "unjust masters" indicated a strain of nobility which might shine forth eminently if it were based upon principles of honour and virtue—a change which he would gladly aid in effecting. He pointed out that there was no fixed form of Government in England, but that the country lay at the mercy of Cromwell's lawless ambition.[3] The idea which Hill had that the army now on foot would soon vanish, Glencairn compassionately ascribed to want of information resulting from his being in a remote place. "You may, indeed", he said, "look upon this as the Lord's work; returning [i.e. bringing back] the abused spirits of all his Majesty's subjects to their duty to their King; and now most of all Scotland are in arms, and many gallant English are already in arms, and have marched through the greatest part of England to join with His Majesty's forces in this Kingdom,[4] besides what is doing in Ireland. All Christian princes are arming against those you now serve,

[1] Firth, *Scotland and the Commonwealth*, p. 270: Macaulay, *History of England*, chap. XVIII: *D. N. B.*, vol. XXVI, p. 396.

[2] Thurloe, *State-Papers*, vol. I, p. 510: The King to the Scottish Clergy, Oct. 22nd, 1654, (Firth, *Scotland and the Protectorate*, p. 197).

[3] The Long Parliament had been forcibly dissolved on Apr. 20th of this year, 1653.

[4] The allusion is to Colonel Wogan's exploit: Firth, *Scotland and the Commonwealth*, p. 296, Gardiner, *Commonwealth and the Protectorate*, vol. II, p. 403. Our readers will probably remember the allusions to Wogan in Scott's *Waverley*. For the strange inaccuracy of the allusions see *Notes and Queries*, 10th, S., I., Apr. 9th, 1904.

and ere long will bring a flood of strangers upon them, if the Lord do not bring them to prevent their ruin by a timeous submission ".[1]

In a few scornful words Captain Hill brushed aside this attempt, as he described it, 'to convince him of the erroneousness of his principles and of his blindness for want of information'. He expressed his opinion that Glencairn would have been in the Lowlands and in more comfortable quarters than those he now occupied, if his statements had been true as to the number who were supporting the Royalist cause. " But were you ", he said in conclusion, " ten times the number that you are, it should not cause me to own that power which you call kingly, or to betray that trust committed to me by my just masters, the deliverers under God, of the poor, oppressed, and enslaved people of the Commonwealth of England, and Scotland, from regal tyranny and bondage; but shall through the Lord's assistance, prove myself faithful to them, whilst called by the name of *John Hill*".[2]

Lord Lorne had already called upon the inhabitants of Badenoch to furnish two hundred well armed men as their proportion of a levy in the Highlands for the cause of the King; and Captain Hill had warned them that any help whatever given to the insurgents would draw down condign punishment upon them.[3] He now issued a second warning to them in which he denounced in vigorous terms the character of many of those who professed to be fighting in a holy cause, and made special reference to the part Lord Lorne was playing. " I see ", he said, " the destruction of many of them imminent, who are murtherers, thieves, drunkards, swearers, whoremongers, heady, high-minded, proud, yet beggars, disobedient to honest and good parents, truce-breakers and promise-breakers, bankrupts and lawless persons, and generally such as scripture excludes from

[1] Thurloe, *State-Papers*, vol. I, p. 657.
[2] *Ibid*, vol I, p. 658 : Whitelocke, *Memorials*, p. 580.
[3] Firth, *Scotland and the Commonwealth*, p. 268.

heaven.[1] And think you can these men prosper?" The terms in which he alluded to Lord Lorne were no less pointed and forcible than those in which he had depicted his present associates. "Indeed", he said, "I cannot but much wonder that your young master (who is the son of so good a father) should concur with those beasts of prey, to defile his own nest, and with those caterpillars, to eat up and destroy those people that have their dependence upon him; but surely if he be a man, that hath any spark of grace or honesty, he will rather die than suffer those men to wrong and abuse his own innocent people. But certainly if he do otherwise, destruction will be his portion."[2] These words cannot have been pleasant for Lord Lorne to hear or to read. For even if he could justify to himself the line of action which had led to alienation from his father, the fact of such alienation could not fail to be to him a source of deep regret. It was part of the cost at which he evinced his loyalty to the ungrateful House of Stewart.

The Earl of Glencairn and Lord Lorne were associated together in the vain attempt to induce the governor of Ruthven Castle by arguments or threats to surrender that stronghold into their hands. Probably their co-operation was due to the fact that Lochaber was a district that had passed for the time from the control of the Marquess of Huntly into that of Lord Lorne's father. It is quite certain, however, that from this time forward they were on the worst of terms with each other. The causes of their enmity were numerous. Lord Kenmore had already, as we have seen, made mischief between them by his complaints with regard to what had happened during the invasion of Kintyre. Lord Lorne had been slighted by Glencairn, and treated as either of doubtful fidelity or as unfit for command. The account of him which about this time the English Government received

[1] Captain Hill seems to have been recently reading 2 *Tim.* III. Perhaps he would have modified his rebuke if he had remembered I *Sam.* XXII, 1, 2.
[2] Thurloe, *State-Papers*, vol. I, 658.

was that he was by no means considerable with the enemy : that first a regiment of foot of his own raising had been taken from him, and that afterwards a troop of horse which had been given him in place of it had also been transferred to another Commander. [1] But fresh fuel was added to the fire by Glencairn's claiming to exercise supreme authority in districts occupied by Lorne's, or rather his father's tenants. The Marquess of Argyll had connexion with these Badenoch lands, as we have said, in consequence of the fact that portions of the Huntly estates to which they belonged had come into his hands. [2] Accordingly Glencairn told Lord Lorne that " although his father took up the rents of the country the men were the Marquess of Huntley's, and that Lord Lorne had nothing to doe with them but he [Glencairn] would use them as he pleased. Whereupon high words arose between them, and Glencairn offered to draw his sword and Lorne went away in great rage, swearing that rather than he would see his owne people abused by Glencairne he would lose his life ". [3] The question as to whether tenants of lands " apprized " by a Highland Chief were his vassals equally with those occupying lands which he had inherited is rather a subtle one, and, " much might be said on both sides ". It would be waste of time now to discuss it. Probably under a leader possessed of any tact or *savoir faire* it would never have arisen. Glencairn's deficiency in this respect was notorious, and consequently in spite of the sacrifices that he had made for the Royalist cause and of the tenacity with which he clung to his command, he was superseded on the earliest opportunity. [4] The unfortunate Badenoch tenants were more harshly treated than ever, and but little was left to them that could be either eaten or carried away. Lorne made an attempt to rally the gentlemen of

[1] Baillie, *Letters*, vol. III, p. 250 : Thurloe, *State-Papers*, vol. IV, p. 162.
[2] *The Great Marquess*, p. 226.
[3] Thurloe, *State-Papers*, vol. II, p. 4.
[4] Firth, *Scotland and the Protectorate*, p. XXV : *Scotland and the Commonwealth*, p. 309.

the country about him, but without success, as Glencairn lost no time in dealing with the insubordination which had so suddenly sprung up within his own ranks.

From the first a strong party among the Scotch Royalists were disinclined to accept the leadership of Glencairn, and differences of opinion both concerning the plan of campaign and political questions intensified their dissatisfaction. [1] Baillie tells us that Lord Lorne while professing strong attachment to the King and to the Royal cause was unwilling to take orders from Glencairn until he knew more particularly the King's pleasure in the matter, and that he and Lord Balcarres and others wrote to Charles expressing their discontent with their commander. These letters were intercepted and brought to Glencairn. [2] The anger which they not unnaturally provoked almost led to an immediate conflict between the two factions. Lord Lorne withdrew with his men to a short distance and encamped on the other side of a small stream, which now formed a line of demarcation between the hostile parties. Glencairn ordered Glengarry, his faithful supporter at this crisis, to arrest Lord Lorne, but the latter made good his escape. Together with a Colonel Meynes and six horsemen he rode off in the darkness of the night and joined some other band of insurgents.[3] The men who had been under his command, some five hundred and fifty horse and foot, chiefly belonging to Badenoch, were entrusted by Glencairn and his Council of War to the Marquess of Montrose who had lately joined the cause of the insurgents. [4]

Very wild reports were soon circulated with regard to this quarrel between Lorne and Glencairn. One was to the effect "that the Lord Lorne lately laboured with much

[1] Burnet, *History of My Own Time*, vol. I, p. 59 ; Firth, *Scotland and the Protectorate*, p. 29.

[2] *Letters*, vol. III, p. 251.

[3] Thurloe, *State-Papers*, vol. II, p. 4 : *Military Memoirs of the Great Civil War*, p. 164 : Burnet, *History of my own Time*, vol. I, p. 58.

[4] Firth, *Scotland and the Protectorate*, p. 53 : *Military Memoirs of the Great Civil War*, p. 167 : Whitelocke, *Memorials*, p. 580. The above was of course the 2nd Marquess of Montrose, son of the famous commander.

earnestnesse to perswade a Lieutenant Collonell under his command to kill the Earl of Glencairn that soe the said Lord Lorne might get the command of all the forces in the Highlands."[1] Such a monstrous accusation unsupported by a particle of evidence does not deserve serious refutation. In a letter to Lilburne from the Captain Hill in command of the garrison in Ruthven Castle, to whom reference has already been made, he is charged with another and a scarcely less detestable act of treachery. Captain Hill states that he has been told that the letter of Lord Lorne's which had been intercepted had been addressed to him, and had contained information as to how Glencairn's forces might be best assailed.[2] The fact, however, that at a little later time Lorne was appointed to high command under Middleton renders it impossible to believe that he could have been guilty of such a base action. Surely if proof of his treachery had been in the possession of Kenmore or Glencairn they would have taken action upon it and excluded him from further employment in the Royal service. Apart, however, from this consideration we have Baillie's distinct assertion that the letter in question was addressed to the King and that it contained expressions of discontent with Glencairn's command. We may perhaps be allowed purely as a matter of conjecture, to suggest an explanation of the discordant statements with regard to this letter. It is very probable that the complaints against Glencairn were accompanied by some statements as to the methods of warfare pursued by him, and that if Captain Hill had intercepted the letter he would have derived information from it as to the best way of falling upon the insurgents. If this fact were freely spoken about we can easily understand how a rumour might arise that the letter had been actually

[1] Firth, *Scotland and the Protectorate*, p. 53. That Glencairn did not believe the story, if it had reached his ears, is conclusively proved by the tone of his letter to Lord Lorne in 1655, which our readers will find referred to later on.

[2] Thurloe, *State-Papers*, vol. II, p. 4.

addressed to Captain Hill and was meant to give him information of the kind above referred to. As a mere matter of fact Lord Lorne's fidelity to the Royal cause all through this campaign was fully recognized by Charles II and by his principal advisers, and, as we have already shown, the feeling of dissatisfaction with Glencairn was sufficiently widespread and strong to result at last in his being superseded.[1] Of course Lord Lorne may have been to blame for acts of indiscretion and for faults of temper, but it was well known both by the English authorities and by the Royalists that the cause of Charles II had no supporter whose zeal was greater than his. It is quite certain that Glencairn himself did not believe that Lorne had been guilty of any act of treachery towards him, for shortly after the rising in the Highlands had been suppressed he wrote a letter seeking a renewal of friendship with him. The whole tone of the letter of Glencairn is that of one who has done rather than suffered wrong, and he asks for favourable consideration at the hands of his correspondent. The document in question was afterwards produced as a testimonial of character when the Earl of Argyll was tried on a capital charge in 1681.[2]

The kind of warfare which the Royalists had kept on foot in Scotland consisted in swooping down on unguarded positions, cutting off small parties of the enemy or taking them prisoners, carrying off horses for cavalry purposes, and in doing as much harm as possible to their opponents without taking the open field against them. When hotly pursued they found but little difficulty in making their way to retreats whither it was impossible to follow them. The whole population was in sympathy with them and there was every probability that the least appearance of success on their part would

[1] Firth, *Scotland and the Protectorate*, p. XXV : Thurloe, *State-Papers*, vol. IV, p. 245. In August of 1654 the King and his Council proposed to appoint Lord Lorne Lieutenant-General in Scotland, *Ibid*, vol. II, p. 574.

[2] *Case of the Earl of Argyll*, p. 65.

be followed by large accessions to their numbers.[1] Though report probably erred by exaggeration in crediting them with having eight thousand men at command, the state of matters at the close of the year was so serious that Lilburne began to contemplate the possibility of giving up to the enemy the whole country beyond Dundee (except Inverness) in order to draw together a sufficient number of troops with which to take the field against them.[2]

The strain upon the English Commander-in-Chief in Scotland was very great. His appeals for money and for reinforcements, especially of cavalry soldiers, were but slowly responded to and at last he declared that the difficulties of the situation were so great that some one was needed who was "more fit to wrestle with them" than he was.[3] The political disquiet in England during 1653—a year which witnessed the forcible dissolution of the Long Parliament and the scarcely less sensational circumstances of the resignation of the Nominated Parliament—and the long war with Holland, explain the delay in attending to Lilburne's most reasonable demands. A great disaster in Scotland would have compelled attention, but as long as Lilburne was able to maintain the semblance of authority in that country his statements regarding the difficulties of his position and his entreaties for aid produced but little immediate effect. At the close of the year he expressed his pleasure at the news that he would soon be relieved of his post. "I heere", he says, "that a Commander-in-Chief is to be sent down hither. I only wish such a one as may pay the people for their knavery. Mee thinkes Monke's spiritt would doe well amongst them."[4]

Some three months or so were, however, to elapse before the close of the war with Holland would allow

[1] Firth, *Scotland and the Commonwealth*, p. 283.
[2] *Ibid*, p. 305n.
[3] *Ibid*, p. 302.
[4] *Ibid*, p. 308.

Monck to come down into Scotland to deal with the insurrection which had proved too serious to be suppressed by Lilburne with the limited means at his command. In the meantime as we have said two regiments of horse and a regiment of foot were despatched to his aid.

At the end of February, 1654, Lieutenant-General Middleton landed in Sutherlandshire, with a few other officers and about eighty men, and with a small stock of arms and ammunition.[1] The hope of substantial aid from Holland had proved vain; and Middleton's being sent over at this present juncture was largely due to the need that was felt by Charles to put an end to the quarrels among the Royalist leaders in Scotland. At the first rendezvous Glencairn, Glengarry, Forbes, and others, appeared with an army of between two and three thousand men, of whom about five hundred were serviceable cavalry.[2] A few days later, at a meeting of officers in Dornoch, Middleton presented his commission as Commander-in-Chief and was received with acclamation. But the announcement that Sir George Monro, whose arrogance and brutality were notorious, had been appointed second in command, excited considerable discontent. Glencairn fully expected to receive this post in consequence of the sacrifices which he had made for the Royalist cause, and of his arduous labours in carrying on the insurrection during the past nine months. His rage at being superseded, though suppressed at the time, broke out with great violence at a dinner which he gave shortly afterwards to Middleton and the other officers. From all accounts the causes of quarrel at this dinner were so numerous, and the stock of wine so large,[3] that

[1] Firth, *Scotland and the Protectorate* pp. 52, 56: Nicoll, *Diary*, p. 122; Lamont, *Diary*, p. 83: *Mercurius Politicus*, Mar. 4th., 1654.

[2] Firth, *Scotland and the Protectorate*, p. 119. The anonymous author of *Glencairne's Expedition* published in *Military Memoirs of the Great Civil War* gives the number as 3500 foot and 1500 horse: but the numbers given above are taken from an official report to Charles II's Secretary of State.

[3] A small English "pink" had been cast away on the coast of Sutherland shortly before with about 30 or 40 tuns of French wine on board of it.

it would have been almost miraculous if matters had gone off peaceably. Glencairn was sore at the slight which had been cast upon him, and he had to sit and listen to Monro's expressions of his favourable opinion of Lord Lorne and of his wishes to confer on him high command in the Royalist army.[1] On the other hand Monro resented the ill-treatment which a brother of his who belonged to the opposite faction had received from Glencairn.[2] After dinner the latter addressed Middleton and referred to the gallant army which he and a few other had raised out of nothing, and entreated the Commander-in-Chief to bestow upon them the encouragement which their devotion and labours merited. He was interrupted by Sir George Monro who started up from his seat with an oath, and declared that the men spoken of were nothing but a pack of thieves and robbers and that in a short time he would show them soldiers worthy of the name. Macdonald of Glengarry was eager to defend the honour of the Highland troops, but Glencairn ordered him to leave the quarrel alone, and directing his attention to Monro he called him "a base liar" and declared that the men were better than any he could raise. Middleton ordered both of them to keep the peace, but next morning a desperate duel took place between them. Both were on horseback and after exchanging pistol-shots without effect they fought with broad-swords. Glencairn was slightly wounded but he almost severed Monro's bridle-hand at the wrist. They then alighted from horse-back and fought on foot, when Sir George received a severe wound across the brow which bled so profusely that he could not see to continue the duel. So furious was the mood of Glencairn that but for the interference of his own servant he would have thrust his sword through the body of his prostrate antagonist. Middleton placed him under arrest for a few days, but shortly afterwards he left the Royalist army, and six months later he capitu-

[1] *Life of Robert Blair*, p. 315.
[2] Firth, *Scotland and the Protectorate*, p. 89.

lated to Monck (Monday, Sept. 4th, 1654), in the full persuasion that it was utterly hopeless to continue the struggle with the Government of the Commonwealth. [1]

Late in April Monck came to Scotland and found matters fully as serious as Lilburne had represented them to be. One of his first actions was to proclaim the Protector at Edinburgh and to publish an ordinance which had been recently passed by the English Government uniting Scotland with England in one Commonwealth. At the same time a proclamation was issued declaring that twenty-four of the leading Royalists, of whom Lord Lorne was one, had forfeited their estates in consequence of their rebellion, and imposing fines varying from £14000 Sterling to £500 Sterling upon seventy-five others belonging to the same party. In accordance with a custom of the time specially repulsive to modern feelings he also set a price upon the heads of Middleton and of four of his principal colleagues. [2]

The military measures taken by Monck were characterized by thoroughness and promptitude. Peace having been concluded with Holland, the English authorities were at liberty to devote full attention to Scotch affairs, and consequently Monck was far more successful than Lilburne had been in obtaining reinforcements of men and supplies of money for carrying on war. He did not enter upon active proceedings until the grass had grown sufficiently to provide forage for his cavalry, but in the meantime he did what he could in the way of guarding the passes leading from the Highlands to the Lowlands, and of hindering fresh parties of rebels from joining the insurgents. He burned boats on lochs that had been or might be employed by the enemy for transporting their

[1] *Military Memoirs of the Great Civil War*, p. 185 : Firth, *Scotland and the Commonwealth*, pp. 89, 163.

[2] Nicoll, *Diary*, p. 124 : *Acts of Parl., Scotland*, vol. VI, pt. 2, pp. 817, 821 : Thurloe, *State-Papers*, vol. II, p. 261 : Lamont, *Diary*, p. 86. In like manner the Committee of Estates set a price upon the head of Montrose—a procedure which ignorant and prejudiced writers of a certain school represent as an unparalleled atrocity and as Argyll's personal act.

forces from one district to another, and fords that could not be otherwise secured he rendered impassable for their cavalry by sowing them freely with " crows' feet " — a detestable little contrivance for laming horses by piercing their hoofs. [1]

After he had by these means secured the valley of the Forth and that of the Tay and had arranged for a strong garrison of soldiers from Ireland to be stationed on the west coast at Inverlochy, Monck was ready to take the field, and accordingly he started from Perth with two regiments of horse and three and a half of foot. [2] In the meantime Middleton who had been cooped up in Sutherland and Caithness by the force under the command of Colonel Morgan which lay at Dingwall, managed to give the latter the slip and to escape south over the hills without coming to an engagement. [3] Morgan followed upon his traces and by an arrangement with Monck took up his position in Ruthven. The plan of operations which the English Commander adopted was very simple. It was to catch Middleton between his forces and those of Morgan, and compel him to fight with either the one or the other of them. [4] For five weeks he kept the Royalist troops incessantly on the move and to use his own phrase " march't them from 3,000 to 1,200. " [5] Wherever he went through the territory of hostile clans he ruthlessly burned houses and destroyed crops in order that the enemy's forces might find neither shelter nor food there during the next winter. [6] At last on Wednesday, July 19th, 1654, a decisive engagement was fought. Middleton's forces

[1] Firth, *Scotland and the Protectorate*, pp. XIX, 93, 95, 107. " Crows' feet " are like " caltrops ", an instrument armed with four spikes so arranged that one always stands upright.

[2] Firth, *Scotland and the Protectorate*, p. XX.

[3] Thurloe, *State-Papers*, vol. II, p. 388.

[4] *Ibid.* vol. II, p. 483. Whitelocke, *Memorials*, p. 597 : Firth, *Scotland and the Protectorate*, p. XX.

[5] I. e. the Royalist infantry.

[6] Thurloe, *State-Papers*, vol. II, p. 526 : Firth, *Scotland and the Protectorate*, p. 145.

were surprised by Colonel Morgan at the head of Loch Garry near Dalnaspidal. The Royalist cavalry and infantry, eight hundred and twelve hundred in number respectively, were straggling over the country with an interval of five miles between them. Middleton on perceiving the enemy sought to draw off without an engagement, but before he could do so Morgan was down upon him. "We presently," says the latter, "put them to the Rout, persued them about six miles, and forced them to disperse three waies." Middleton himself was dismounted and wounded, and his charger, his commission and instructions from Charles II with other personal property, fell into the hands of the enemy. Out of the eight hundred Royalist cavalry only one hundred could be gathered together after the fight. The infantry after some slight resistance dispersed to their homes.[1] This virtually concluded the campaign, though a few small parties of Royalists, never more than a few hundred at most, held the field in different parts of the country until the early months of the following year.

Lord Lorne's share in these events had been but slight. Soon after Middleton's arrival in Scotland he had written expressing his devotion to the cause of Charles II and offering his services with a contingent of six hundred men, but owing to his quarrel with Glencairn his overtures at first met with no very cordial response.[2] But in a short time it became evident that the quarrel on Glencairn's part had sprung from private animosity and not from zeal for the Royal cause; and accordingly as the reputation of Glencairn declined that of Lorne was re-established. None of his exploits, however, were of a conspicuous kind, and none led to any decisive result. Some two or three of them are recorded, and these derive their interest principally from the light which they cast upon the relations between him and his

[1] Firth, *Scotland and the Protectorate*, p. 402; Whitelocke, *Memorials*, pp. 597, 598.
[2] *Ibid*, pp. 74, 126.

father at this time. Thus on Sept. 12th Monck reported to Cromwell that he had been informed by the Marquess of Argyll that a vessel laden with provisions and ammunition for the supply of English forces expected at Inveraray had been seized by Lord Lorne. "He came," says the Commander-in-Chief, "with thirty horse and first fell upon the guard of twenty fower musketeares which were on shoare, killed two of them, and tooke the rest (except two that gott into the Marquesses howse), and afterwards seized on the vessell and provisions."[1] Two days later he writes to say: "I understand the Lord Lorne gott not above six scores bagges of biskett out of the shippe, but the Countrey people got out much of the rest, onely the shipp and some provisions were saved." At the close of his letter Monck says: "I cannot finde but that the Marquesse of Argyll is rightous [i. e. straightforward] though the Countrey more incline to his sonne then [than] to him."[2] The general sympathy of the country with Lord Lorne was, he thought, quite plain from the fact that he had ventured on such an exploit attended by a mere handful of men. A month later we read of cattle for the supply of the Royalist forces being driven off from Argyllshire. The chronicler who relates the matter sets down the bare fact in terms which rob it of all romance: "Nov. 15th. the Lord Lorn sent parties into his father's country to steal cows."[3] The quaint statement is made that the Earl of Loudoun, late Lord Chancellor of Scotland, rambled up and down with his kinsman Lorne and his party "to give countenance to their designs."[4] The idea of so grave a personage as a Lord Chancellor accompanying a party of hungry marauders on the errand of stealing cows, in order to deprive the action of any semblance of illegality, is not without its humorous side. The situation in which he

[1] Firth, *Scotland and the Protectorate*, p. 175.
[2] *Ibid*, p. 176: Whitelocke, *Memorials*, p. 606. The ship contained 600 bags of biscuit and ten tons of cheese.
[3] *Ibid*, p. 608.
[4] Nicoll, *Diary*, p. 140: *Mercurius Politicus*, Nov. 9-16, p. 4007.

was placed himself was one in which he was exposed to danger both from the resentment of the owners of the cattle and from the ingratitude of some of his companions. For we read that the latter on one occasion proposed to make their peace with the Government by giving him up, and that they seized him for this purpose. He got off, it seems, in the end, but in the mêlée he received a shot in the neck.[1] But for this serious termination of matters the episode would have seemed more appropriate for the libretto of a comic opera than for the page of history.

One of the most dreadful results of civil war, in its sometimes arraying against each other those who are bound by the closest ties of kinship, was illustrated in the case of Lord Lorne and his father. The latter was compelled by the position he occupied in the country and by his obligations to the English Government to drive his son and those who adhered to him out of Argyllshire. In some one of the conflicts by which this was effected we are told that "they [i. e. Lorne's party] sank the Marquesses boates efter they haid supprysed thame, and durst not encounter the Marques, quho killed sum few, and woundit utheris of his men." "And now," adds the same authority, "seing bluid hath bene drawin betwix the father and the sone, ane can hardlie imagine they are in spoirt, or that thai can be reconcealit upon easie termis." It is humiliating to read that the Marquess of Argyll was constrained to apply for an English garrison to defend him against his son's violence.[2] The members of his clan were divided in their allegiance between him and his son, and the number of armed retainers he was permitted to keep for the protection of his person was small: so that he had scarcely any option but to ask for a guard. Baillie tells us that when the company of soldiers were on their

[1] Whitelocke, *Memorials*, p. 606: Thurloe, *State-Papers*, vol. II p. 619. The person who "pistoll'd" Loudoun was a Lieut. Col. Irvine.

[2] Nicoll, *Diary*, p. 140.

way to Argyllshire the Marquess changed his mind, and got an order for their recall, but that this vacillation of his exasperated the military authorities, who ignored the order and took possession of "his owne best house of Inneraray." He also adds that the soldiers stabled their horses in the church and school there, and that well on into the next year they were still in occupation of the quarters they had seized upon.[1] So far as Lord Lorne was concerned his power to do anything further in arms at this time for the Royal cause was at an end, and he was in such a miserable plight that we are told of his having, early in December of this year, sought shelter in some small island along with four or five of his men.[2]

Immediately after this Lord Lorne desired a meeting with his father to arrange terms with regard to his surrendering to the English Government.[3] The meeting, which must have been a painful one for them both, took place evidently at Inveraray, and at it the principal gentlemen of the clan Campbell who had adhered to the Marquess were present. Lord Lorne heard the statement of the terms which they thought it reasonable he should consent to accept, but he declined to make any final agreement, until he had first communicated with his Commander-in-Chief, Middleton. It is a tragic circumstance in the case that the letter in which the Marquess informed Monck of this interview was one of the six which the latter afterwards treacherously supplied to secure a death sentence being passed upon him.[4]

Lord Lorne in the midst of his disappointment at the failure of the rebellion in which he had taken part probably found some satisfaction in learning that his conduct had met with the approval of his Sovereign. "I am very glade," said Charles in a letter to him, "to hear from Middleton what affectione and zeall you show

[1] *Letters*, vol. III, p. 288.
[2] Whitelocke, *Memorials*, p. 609.
[3] Thurloe, *State-Papers*, vol. III, p. 28.
[4] *The Great Marquess*, p. 385.

to my service, how constantly you adhere to him in all his distresses, and what good service you have performed upon the rebells. I assure you you shall finde me very just and kinde to you in rewarding what you have done and suffered for me ; and I hope you will have more credit and power with those of your kindred and dependants, upon your familie to engage them with you for me then [than] anybody else can have to seduce them against me ;[1] and I shall look upon all those who shall refuse to follow you as unworthy of any protectione hearafter from me,—which you will lett them know."[2]

Where Lady Lorne had been during the greater part of the past eighteen months of civil warfare, we do not know. She was in Edinburgh on Tuesday, June 27th, 1654, for we hear of the baptism on that date of her daughter, Margaret, a child who died soon afterwards. This daughter was probably born in Edinburgh shortly before that date, and as the notice of the baptism occurs in the Canongate Register, we may conclude that the scene of both events was the historical mansion of Moray House, which belonged to Lady Lorne's father. The time when the baptism occurred was after Monck's arrival in Scotland and a few weeks before the decisive engagement at Loch Garry which virtually crushed the insurrectionary movement. Lord Lorne's active participation in the military operations of the time sufficiently explains his absence from the peaceful ceremony. We are told that "in the absence of the parent, his cousin, the Earl of Lothian was presenter of the child." The minister who officiated was the Mr. George Leslie by whom the parents had been married four years before in the Royal Chapel at Holyrood House.[3]

In the beginning of 1655 we find Lady Lorne residing at Inveraray. Probably she had come thither to join her

[1] The covert reference here to the Marquess of Argyll is worth noticing.
[2] *Hist. MSS. Com. Rept.* VI, p. 613. The letter is dated "Collen" [Cologne], Dec. 30th, 1654.
[3] *Register of Baptism*, Canongate, June, 1654.

husband on his virtually consenting to make terms with the English authorities, and on his entering into conference with his father and friends. At this time her mother-in-law and the other members of her husband's family were residing in Carrick Castle. Lady Lorne's sympathies were naturally with the party of which her husband was a prominent member, and it is evident from the fact that the principal Royalists of Argyllshire were, soon after her arrival thither, in communication with her, that she was inclined to assist actively in their schemes. The attention of the authorities was soon directed to this state of matters and she was ordered to leave Argyllshire without delay. These orders were communicated to her by a Captain Francis Nichol in a letter from Kilmartin, dated Wednesday, January 18th, 1655. The writer announces that, in consequence of the conduct referred to, Her Ladyship's presence in that district was very much to the prejudice of the Commonwealth and peace of the country, and that she and her family must at once depart from the county of Argyll. He intimated further that if this order were disobeyed Her Ladyship by her "obstenance" would draw confusion upon herself and family, and that in case of refusal little "civillyty" would be found at his hands.[1] From all accounts that quality was one in which Captain Nichol was constitutionally deficient.[2] In view of the fact that Lord Lorne would otherwise have been seriously compromised we can safely conclude, in default of positive evidence, that the orders so brusquely given were obeyed without undue delay.

General Middleton fully approved of Lord Lorne's proposal to make terms with the English Government—a procedure which he himself had been constrained to adopt. In a letter from Dunvegan, dated Saturday, Mar. 31st, 1655, the Royalist Commander urges him to "loose no tyme in taking such course... for the good of

[1] *Hist. MSS. Com. Report* VI, p. 622.
[2] Firth, *Scotland and the Protectorate*, p. 243 n.

his persone, familie and estate." In this letter he speaks in the highest terms of his correspondent's conduct during the campaign. He says that Lord Lorne had "enlyvened the war" of which he had been one of the chief and first movers, and that what he called his "deportments" in relation to the enemy had been "beyond all parallell."[1] In a second letter written after he had left Scotland, and dated Paris, Tuesday, Apr. 17th, he again praises Lorne's services during the war, and says that, next to the ruin of the enterprise in which they had both been engaged, he regrets having left Scotland without waiting upon him. Had they met they would, he says, have been able to arrange a method of correspondence with each other, and he would have made Lorne fully acquainted with all that was in his mind. "I should," he remarks, "have been plain in evriething, and indeed have made your Lordship my confessor."[2] The strikingly confidential tone of the letter is convincing proof that Middleton placed implicit reliance upon his correspondent's honour and integrity, and that he did not believe the stories which had been circulated to his discredit. Indeed so far as the libellous reports referred to were concerned Lorne was not the only victim. They were current with regard to all the leaders of the late rebellion except Glencairn and Glengarry,[3] and certainly emanated, if not from either of them, at any rate from some of the more unscrupulous members of the faction supporting them.

The articles of agreement between Monck and Lord Lorne were concluded on May 17th, 1655, and were finally ratified by the Protector and Council on the 9th of August following. By this treaty Lord Lorne pledged himself to live peaceably under the Protector and Commonwealth, and provide "good Lowland security to the amount of £5,000 Sterling as a guarantee of good

[1] *Case of the Earl of Argyle* (1683), p. 61 : *Hist. MSS. Com. Report* VI, p. 622.
[2] *Ibid*, p. 622.
[3] Firth, *Scotland and the Commonwealth*, p. 209.

behaviour." In return for this he was to remain unmolested in the possession of all property and rights belonging to him, and was declared exempt from punishment on account of any acts of ordinary warfare committed by him during the late campaign.[1]

[1] *Cal. S.P. Dom.*, 1655, p. 270: *Hist. MSS. Com. Report* VI, p. 696: *Adventures in Legend*, p. 247: Nicoll, *Diary*, p. 153.

CHAPTER V.

Lord Lorne suspected of intriguing against the Government—Imprisoned in Edinburgh Castle—Meets with a serious accident—Liberated on parole—The Restoration—Trial and Execution of the Marquess of Argyll—Ecclesiastical parties in Scotland.

Though the movements of Royalists in Scotland were jealously watched, and occasionally arrests were made of members of that party whose conduct excited suspicion, the peace was unbroken during what remained of the period of the rule of the Commonwealth. Armed bands had crossed and recrossed the land as confusedly as sparks traverse the ashes of burning paper, but beyond the increased impoverishment and misery of large tracts of the country no result remained of these two years of guerilla warfare. Glencairn and Middleton and other Royalist commanders had hoped to repeat the brilliant achievements of Montrose which ten years before had shattered the forces of the Covenant, but their efforts had been utterly futile. The only military genius for which this rebellion had provided an opportunity of displaying itself had been that of Monck. Of him for many a day a record remained written in characters that were only too legible in the destruction and desolation which marked the line of his progress through the Highlands. [1]

It is to be feared that cordial relations between the Marquess of Argyll and his son were not immediately

[1] Firth, *Scotland and the Protectorate*, p. XX.

restored upon the latter's submission to the Government of the Commonwealth after the abortive attempt to overthrow it. They were inclined no doubt to blame each other for the disasters which had fallen upon their country and for the impoverishment of their own house in consequence of the heavy burden of debt laid upon it. [1] A kinsman of theirs who visited Rosneath at this time was distressed by what he saw of the implacability of the father and the "insubmissiveness" of the son, [2] but much had happened to try both their tempers, neither of which at the best was faultless. During the rest of the period of the Commonwealth the Marquess was a good deal in London, where he was engaged in effecting a settlement of certain financial claims of his upon the Government, [3] and in transacting business entrusted to him by parties in Scotland. [4] Lord Lorne remained in Scotland, but he was from the time of his surrender subjected to very close and jealous surveillance on the part of the Government, as it was confidently believed by the authorities in England that he and the Earl of Glencairn were the most dangerous of their opponents in Scotland, and that any further Royalist intrigues in that country would most certainly have either the one or the other as the prime mover in them. [5] It is rather curious to find that about this time Lord Lorne was approached by his former enemy, Glencairn, with a view to a reconciliation. The latter wrote in a somewhat servile tone, in a letter to which we have already alluded, regretting that it had been his misfortune to be misrepresented to Lord Lorne as a person unworthy of his favourable opinion, and he referred to the respect shown for him by many in Edinburgh as a testimonial to his good character. His object apparently was to induce his correspondent to enter into some new scheme in the interests of Charles II,

[1] *The Great Marquess*, p. 294 : Thurloe, *State-Papers*, vol. IV, p. 401.
[2] Brodie, *Diary*, pp. 147, 150 : Baillie, *Letters*, vol. III, p. 288.
[3] *The Great Marquess*, p. 296.
[4] *Life of Robert Blair*, p. 329.
[5] Thurloe, *State-Papers*, vol. IV, p. 49 : vol. V, p. 18.

as he says that he is anxious for " a perfect unity among all good and honest-hearted Scotsmen ". [1]

A month after the ratification of the treaty with Lord Lorne, Lord Broghill, the President of the Scotch Council, wrote to Thurloe to inform him that a new rebellion was being hatched in Scotland. He declared that Lord Lorne was more than suspected of having an agent with the King and that Glencairn had been " trinketing " [plotting] with parties both in Scotland and in England. [2] These facts or supposed facts had been discovered by means of spies, or " intelligencers " as they were then called. In this particular case the man who was Glencairn's agent with the King earned a second salary by conveying intelligence to General Monck. It may of course at times be necessary for a Government to employ such wretches and to countermine the mines by which their enemies are seeking to blow them into the air, but no great reliance can be placed upon men living lives of double-dyed falsehood. For in order that they may have something to report to their employers it is their interest to promote plots—to entrap the unwary into seditious acts and then to sell them to the Government. Such was the condition of matters during the rule of Cromwell. He placed great trust in the method of governing by espionage, and the result of matters was that under him, to use the words of a contemporary, " there was such a devilish practice of trepanning grown in fashion that it was not safe to speak to any man in those treacherous days. " [3] This is an aspect of Cromwell's administration of affairs which by no means redounds to his credit.

The information which Broghill received in this way was such as to keep him in a constant ferment of anxiety : now it was that Lord Lorne had " declared for Charles

[1] *Hist. MSS. Com. Report*, VI, p. 620.
[2] Thurloe, *State-Papers*, vol. IV, p. 49.
[3] *Memoirs of Colonel Hutchinson*, (Bohn), pp. 326, 374 : Welwood, *Memoirs*, p. 96 : Carte, *Life of Ormond*, vol. II, p. 223.

Stewart," that he was in arms and had surprised the castle and garrison of Mull, and now that he had had a meeting of all his friends, "who were not few", or had done some other action which either was calculated to excite suspicion or could be construed into a breach of the articles of capitulation which he had accepted.[1] But the reports turned out to be either false or exaggerated, and Broghill though convinced as he said that Lorne was "playing the roge" was unable to prove it. A certain Captain Maitland, who was the latter's agent with Charles II, turned traitor to him and accepted the pay of the President of the Scotch Council and undertook to supply him with information. The spy provided what seemed to be clear proof that Lord Lorne was once more dabbling in sedition and went into Argyllshire to get the document which would place his guilt beyond all doubt—a despatch from him to the King which he promised to lay before Lord Broghill. But the treacherous scheme failed, for Captain Maitland died so suddenly after reaching Argyllshire as to suggest that he had probably met with what might be called either "foul play" or "condign punishment." On further enquiry, however, it seemed certain that the death had taken place in the ordinary course of nature and not by violence. The spy had been so cautious in his procedure as to arouse no suspicion in the minds of those whom he had injured so grievously, and he had been so little under observation that shortly before his death he had written and despatched a final report to Lord Broghill. The latter was not ashamed to write: "We must cast about to repair this loss, for I am of opinion if ever C. S. [Charles Stewart] makes any stur heere, Lorne will occasion it."[2]

From two quarters in the month of August, 1656, the English authorities received warning with regard to the risk which they ran in allowing Lord Lorne to remain at large. Sir William Lockhart, the English ambassador in

[1] Thurloe, *State-Papers*, vol. IV, *passim*.
[2] *Ibid*, vol. V, p. 18: dated Edinburgh, May 13th, 1656.

France, wrote to say that he was informed that the nobility and gentry of Scotland would readily take up arms again if a suitable leader were found for them. "Ther were only two persons named," he said, "if they be innocent I pray God this may do them no wrong. The one is Lord Fairfax, the other my Lord Lorne, son to the Marquis of Argyle."[1] A second warning came from Lord Broghill, who, on the information of "a knowing, honest minister", one of his "intelligencers", wrote to say that Lord Lorne was "reddy to embrace any stirs and foment them."[2]

The upshot of these persistent reports was that early in 1657 the Protector's Government ordered an oath to be administered to all those Royalists in Scotland who had been in rebellion but had capitulated, by which they renounced the Stewarts and declared their allegiance to the existing order of things.[3] This high-handed procedure was probably intended to furnish a pretext for apprehending the leading Royalists in Scotland. Among others Lord Lorne refused to take the oath and was promptly imprisoned in Edinburgh Castle. Soon after he was lodged there Monck had the mortification of having to report to Cromwell that two important political prisoners had escaped from the Castle, and he suggested that a number of the more distinguished prisoners now there—among whom he named Lord Lorne—should be sent to some safer place.[4] Lord Broghill also strongly pressed the Government to send the latter and Glencairn, whom he described as the only two Royalists likely to head a rising in Scotland into England, to some place where they would not only be more securely lodged but have less opportunity of communicating with their political associates and friends.[5] But no step of the kind

[1] Thurloe, *State-Papers*, vol. V, p. 319.
[2] *Ibid*, vol. V, p. 323.
[3] Baillie, *Letters*, vol. III, p. 430: Nicoll, *Diary*, p. 191. The date of the proclamation was Wed., Jan. 28th, 1657.
[4] *Acts of Parl. of Scot.*, vol. VI, part 2, p. 906: Thurloe, *State-Papers*, vol. VI, p. 81.
[5] *Ibid*, vol. VI, p. 436.

was taken, and for nearly two years and a half Lord Lorne remained a prisoner in the fortress from which he was many years later to effect a romantic escape, and from which not long after that event he was to be led down to execution.

The story is told that on his being first brought into the Castle as a prisoner he made trial of his fortune by the *Sortes Biblicae*. Three times over his Bible opened at the 14th Chapter of Job, which begins : "Man that is born of a woman is of few days and full of trouble." The incident remained in his memory and long afterwards in his dying speech he quoted the passage and exclaimed : "If ever this text has been verified in any it has been fulfilled in me".[1] A serious accident which occurred to him a year later may well have seemed to him an illustration of the ominous response to his attempt at divination. The diarist Lamont relates it as follows : "Mar. 1658 Lord Lorne being playing at the bullets in the castell of Edb. (the English at that tyme haveing a garison ther), the Louetennant of the castell being ane Englishman and on the Lord Lorne's syde, throwing the bullett, it lighted on a stone, and with such force started backe upon the Lord Lorne's head, that he fell downe, and lay dead [unconscious] for the space of some houres ; after that he recovered and his head was trepanned once or twyse".[2] For some days after the accident his life was despaired of, and the surgical operation which led to his cure was accounted one of the most remarkable of the time. It was observed, however, that he was never quite the same after the accident as he had been before it. A faint trace of instability in manner was apparently one of the results which it left behind.[3] Another was the need which he felt of sleeping an hour or more during

[1] Fountainhall, *Historical Observes*, p. 194 : *The Western Martyrology*, p. 172. Our readers will remember Charles I's and Lord Falkland's trying the *Sortes Virgilianae* (Welwood, *Memoirs*, p. 90).

[2] *Diary*, p. 204, See also Baillie, *Letters*, vol. III, p. 367 : Burnet, *History of My Own Times*, vol. I, p. 182.

[3] Fountainhall, *Historical Observes*, p. 195.

the day and which even the agitation connected with his execution did not dispel on that fatal day when it occurred. [1]

One alleviation of his troubles he had in the presence of his dearly loved wife who shared his captivity with him. About four months after the very serious accident to her husband which we have just described she gave birth to a son, Archibald, afterwards 1st Duke of Argyll. [2] For this scion of the House of Campbell, though inferior in character and achievements to his father and grandfather, high honours were in store. He was afterwards one of the three commissioners from the Convention who offered the crown of Scotland to William and Mary, and he administered the oath of office to the joint-sovereigns; while from him sprang the famous warrior, orator, and courtier, the 2nd Duke of Argyll, who took such a prominent part in establishing and maintaining the rule in England of the House of Hanover. [3]

No other details are preserved of events in the life of Lord Lorne during the long dreary term of his imprisonment. In the July of 1659 he received liberty from Monck for twelve months in order to attend to his private affairs. Four of his friends bound themselves in a sum of £10,000 Sterling as security for him that he would during this time do nothing against the Parliament or Commonwealth. His place of residence was to be the Bog of Gight, now known as Gordon Castle, in Banffshire, the seat of his cousin, the Marquess of Huntly whose property was to a large extent in the hands of the Marquess of Argyll. Probably Lord Lorne was entrusted by his father with the management of some

[1] *Argyll Papers*, p. 12.

[2] He was baptized on Sunday, July 25th, 1658 (*Canongate Register*).

[3] It is the 2nd Duke to whom Pope's well-known couplet refers *(Epilogue to the Satires)*, and who figures in Scott's *Heart of Midlothian*. When this scion of the House of Campbell was challenged by his aunt, the Countess of Moray, daughter of the 9th Earl of Argyll, with the part he had taken in 1715 against the Stewarts, he replied: "That family, Madam, owes me and my family two heads, whereof your father's was one; and it becomes you ill to propose this question," (Wodrow, *Analecta*, vol. II, p. 307).

of the affairs of this estate and had some portion of the income of it assigned to him for a living. The conditions under which he received his freedom were very rigidly fixed. He bound himself not to go more than twenty-five miles from the Bog of Gight without a pass from Monck's own hand fixing the time of his return, and he undertook to give himself up again as a prisoner at the end of the twelve months. But before the time prescribed had expired political events had taken a new turn and the Royalists were in the ascendant with Monck himself as their patron and leader.[1]

The great Protector had died in 1658, on Friday, September 3rd, the anniversary of his famous victories of Dunbar and Worcester. His son, Richard, after a half-hearted and ineffectual attempt to continue the Protectorate, resigned his office, and the English army re-installed in power the old Republican remnant of the Long Parliament, irreverently called "The Rump", which Cromwell had expelled six years before. The anarchy which arose from the quarrels between the military and the civil authorities, the general unrest in the country, and the growing desire for some settled form of government gave Monck an opportunity for decisive action. He used it with surpassing dexterity. With a force of seven thousand men he crossed the Tweed at Coldstream on Monday, Dec. 9th, 1659, and marched to London as a champion of the civil power against the tyranny of the English army. Everywhere he met with expressions of the public desire for the calling of a "free Parliament." As soon as he had firmly secured himself in London he proceeded to carry out this measure. Supported by his soldiers, who obeyed him implicitly, and by the general approval of the community he demanded that the Parliament should restore the members excluded in 1648, and

[1] *Hist. MSS. Com. Report*, VI, p. 632. The bond was dated at Dalkeith and Burntisland, June 20th, and 23rd, 1659, and was to take effect from July 21st of the same year. The cautioners are William, Earl of Lothian, James, Lord Rollo, James Hackett of Pitfarren, and Major-Gen. James Holbourne.

should dissolve itself and give place to a new House of Commons that had been freely elected. These demands were complied with, and on April 26th, 1660, Parliament met, consisting of a strongly Royalist and Presbyterian House of Commons, and of a House of Lords composed of those of its former members who had sat until the trial of Charles I. The ancient constitution of government by King, Lords, and Commons was restored, and Charles II was welcomed rapturously to the throne from which he had for so many years been rigorously excluded.[1]

At what date Lord Lorne was formally set at liberty is uncertain. A letter of his of Friday, Mar. 9th, 1660, addressed to the Earl of Lauderdale, who was an uncle of Lady Lorne,[2] is still in existence and was evidently written from his place of residence in the north. The Earl of Lauderdale and several other distinguished Royalists who had been taken prisoners after the Battle of Worcester about eight years and a half before, and had been confined in various fortresses, had recently (March 3rd,) been liberated from Windsor Castle.[3] The letter of Lord Lorne to which we have referred was written to Lauderdale to congratulate him upon receiving his liberty. The writer speaks of his being in a place whence he had despatched letters to his own wife and to Lauderdale which had gone astray, and he fears that his present communication may not reach his correspondent. He says that only uncertain reports of occurrences in London and even in Edinburgh have reached him, and he asks for " advice and direction " in his present circumstances. He reminds Lauderdale that he (Lorne) has " good eyes ", in case evidently it might be necessary or desirable to send a reply in some disguised form, and

[1] Skinner, *Life of Monk*, p. 180 : Guizot, *Life of Monk*, p. 61 : Nicoll, *Diary*, p. 281 : Wodrow, *History*, vol. I, p. 6.

[2] The Earl of Lauderdale's first wife was Lady Ann Home, whose sister, Lady Margaret, became Countess of Moray. The eldest daughter of the latter was wife of Lord Lorne.

[3] Whitelocke, *Memorials*, p. 197 : M. de Bordeaux to Cardinal Mazarin, Mar. 4th, 1660 : Burnet, *History of My Own Times*, vol. I, p. 173 : Lamont, *Diary*, p. 152 : Wodrow, *History*, vol. I, p. 8.

he gives the name and address of a faithful person—a "Johne Michell, stabler in the Cowgate of Edinburgh" —who would take charge of letters for him. One sentence in the letter has a pathetic interest attaching to it, as indicating a belief in Lauderdale as a man of integrity and of devout disposition which his earlier career had aroused in the minds of many but which the character of his later life was to shatter so utterly.[1] "I looke upon it [i. e. your liberty]," he says, "as a token of good to this nation, hoping that as your Lordship hath been a remarkable sufferer, so the Lord will make you a noble instrument in our Just settlement."[2]

That the bond under which Lord Lorne had obtained a measure of freedom was virtually if not formally cancelled by the events connected with the Restoration is evident from the fact that he was in the full enjoyment of liberty when he wrote a second letter to Lauderdale from Leith on May 24th, the day before Charles II landed at Dover. This letter reflects some of the joy which filled the hearts of multitudes who had long earnestly desired the restoration of the Monarchy and of the House of Stewart. "I am now resolved," he says, "allmost with all Scotland to seeke the satisfaction to kisse his M^ties^ hand. No man in this country [is] so old or sikly or sullen or poore or peevish but is making readie".[3] He little suspected that the pleasure which he felt at the triumph of the cause for which he had done and suffered so much would soon be quenched, and that the death of his father was one of the measures determined upon by the cruel and perfidious Sovereign whose hand he was so eager to kiss.[4]

Lord Lorne went up to London and was received by Charles II with a considerable show of kindness.[5] The Marquess of Argyll who had retired into the Highlands

[1] Burnet, *History of My Own Times*, vol. I, p. 174.
[2] *Lauderdale Papers*, British Museum, Add MS. 23,113, f. 86.
[3] *Ibid*, Add MS. 23,113, f. 111 : Kirkton, *History*, p. 66 : Nicoll, *Diary*, p. 295.
[4] Wodrow, *Analecta*, vol. I, p. 68.
[5] Burnet, *History of My Own Times*, vol. I, p. 181.

was uncertain about presenting himself also at Court, and asked the advice of various friends in Scotland upon the matter. Several strongly urged him to remain in Scotland and warned him of the danger of putting himself in the power of the King.[1] He, however, wrote to his son, asking him to apply to Charles to grant him leave to come and wait upon him. "The King," says Burnet, "gave an answer that seemed to encourage it, but did not bind him to anything. I have forgot the words: there was an equivocating in them that did not become a prince: but his son told me he wrote them very particularly to his father, without any advice of his own."[2] The upshot of matters was that on his coming up the Marquess was arrested in the outer chamber at Whitehall and hurried to the Tower on a charge of treason.[3] The detestable treachery, in which Lord Lorne was unconsciously involved as a decoy to secure the entrapment of his own father, was a crime which would have left an ineffaceable stain upon the character of Charles II had there been any background of virtue to act as a foil to it.

In our life of the Marquess of Argyll we have already told in detail the story of his trial and execution,[4] and therefore need make but slight reference to the matter here. Suffice it to say, therefore, that after he had been imprisoned for five months in the Tower he was sent down to Edinburgh to be tried. An elaborate list of charges was drawn up against him, which were for the most part based upon the various actions of the party to which he belonged in the course of their rebellion against Charles I—their assisting his enemies and resisting those who had acted under his authority. To these were added accusations of acts of cruelty perpetrated, or alleged to have been perpetrated by officers of his, acting presumably

[1] *The Great Marquess*, p. 302 : Wodrow, *Analecta*, vol. II, p. 340.
[2] *History of My Own Times*, vol. I, p. 106 : Baillie, *Letters*, vol III, p. 447 : Fountainhall, *Historical Observes*, p. 184.
[3] *The Great Marquess*, p. 303.
[4] *Ibid*, p. 308.

under his orders during the Civil War, and charges of various acts of co-operation with the Government of the Protector. Over and above all these it was suggested that he had planned with Cromwell, on the latter's visit to Edinburgh in 1648, the death of Charles I. The list though formidable enough at first sight was considerably reduced by an appeal to the Acts of Oblivion of 1641 and 1651, which had been approved by Charles I and Charles II, and under which a large percentage of the charges came. During the trial, which, as Burnet says, was the most "solemn" which had ever occurred in Scotland,[1] Lord Lorne was in London where he exerted himself to the utmost on his father's behalf. One result of his exertions was that the King wrote to the Earl of Middleton, his commissioner in Scotland, to instruct the Lord Advocate to drop all charges covered by the above-mentioned Acts, and ordered him when the trial was finished to send up the whole case for his consideration before sentence was passed. Middleton, however, strenuously resisted this last command on the ground that it would show a distrust of "a loyal and affectionate parliament" by which they would be much discouraged, and accordingly Charles recalled it.

The Royal Commissioner with open and shameless animus against the accused endeavoured to fasten upon him the charge of being an accessory before the fact in the crime of regicide. His object, it was generally believed, was from a self-interested motive to secure the utter overthrow of the accused and the forfeiture of his estates,[2] as no one would be likely to champion the cause of the son of one who had been found guilty of such a crime. No evidence, however, could be adduced to support the charge, and even that servile Parliament by a vote decided the matter in the prisoner's favour.[3] The only question that then virtually remained was

[1] *History of My Own Times*, vol. I, p. 123.
[2] Kirkton, *History*, p. 87.
[3] Burnet, *History of My Own Times*, vol. I, p. 124.

as to whether his compliance with the usurper's Government amounted to treason or not. His second son, Lord Neil Campbell, went up to see his brother in London and spoke somewhat too freely of the satisfactory answers which his father had given to the various charges brought against him. [1] The enemies of the Marquess were stirred up to fresh endeavours by this and by other reports as to how matters were going in Scotland, and Monck basely furnished some documents which proved that the Marquess's compliance with the Protector's Government though at first compulsory had afterwards been voluntary and active. Various persons have tried to palliate if not to excuse Monck's action, but in our opinion without much success. [2] The documents in question were letters written in confidence and were in Monck's private possession, and were produced by him to secure a death-sentence which otherwise could not have been obtained. It may, of course, be useful to a Government to get the services of a man who turns "King's evidence", but the probability is that all those whose opinion is worth having look upon him with loathing and contempt. [3] Those who can regard his public services as condoning the odium attaching to them should go a step further and give some of their esteem to the public executioner, who probably in most such cases would be found to be more deserving of it.

The Marquess of Argyll was beheaded on Monday, May 27th, 1661. [4] His property was confiscated and his honours forfeited; but the expectations of the greedy courtiers who had expected to batten on his estates [5] were disappointed, for some two years later these were restored

[1] Baillie, *Letters*, vol. III, p. 465.
[2] Burnet, *History of My Own Times*, vol. I, p. 125n (edition of 1823): *Biog. Brit.*, vol. III, p. 190: Burton, *History of Scotland*, vol. VII, p. 151.
[3] The reader may remember the couplet from Pulci:—

"Il tradimento a molti piace assai,
Ma il traditore a gnun non piaque mài."

[4] *The Great Marquess*, p. 330.
[5] Wodrow, *Analecta*, vol. II, p. 52: Burnet, *History of My Own Times*, vol. I, p. 106.

with the Earldom to his son, Lord Lorne. Before, however, we come to refer to the circumstances in which this act of justice was performed and the conditions which were attached to it, we wish to speak at some little length of the great ecclesiastical change in Scotland from Presbyterianism to Episcopacy which took place soon after the Restoration. It would be impossible to understand either the condition of matters in the country during the troubled years of the reign of Charles II, or the part which Lord Lorne played in them unless we form a clear idea of the significance of this ecclesiastical revolution.

The disastrous effect of combining religion and politics was surely never more clearly displayed than in Scotland during the generation which witnessed the drawing up of the National Covenant (1637) and the Solemn League and Covenant (1643). The nation had been almost unanimous in the protest against the tyranny of Charles I and of Laud, so that one of the evils of the combination to which we have referred—that of treating political dissent as religious apostacy—did not at first appear: though even then there was a minority which was inclined to ignore or resist the Covenant, and for suppressing which it was necessary to use some measure of violence. But the evils of the course on which matters had entered came very clearly to light seven years afterwards, when, with no grievances of which to complain, the authorities in Scotland entered into a religious Covenant with the insurgent Parliamentary party in England. If religion was more prominent than politics in the earlier of these Covenants, matters were certainly reversed in the case of the later of them. As might have been expected, a number who had acquiesced in the policy of the Church in connexion with the one and had even been eager in supporting it would have nothing to do with the other. As time went on this divergence in political opinion and feeling became more and more intense and it reacted unfavourably upon the Church itself which it split from end to end into two bitterly hostile factions.

The question is sometimes asked by those who resent blame being cast upon the course followed by the Church in connexion with the Covenant, what body was there in the country which could have offered organized resistance to the highhanded policy of Charles I and of Laud if the Church had abstained from action? But this is a question which the historian does not feel himself called upon to answer. There is surely no ground for believing that the people of Scotland were too poor-spirited to maintain or defend their liberties even if the Church had kept out of the struggle. The true principle with regard to the matter it seems to us is this: that while the members and officials of the Church in their capacity as subjects should form judgements in political affairs that shall be in accordance with the principles of religion and should use all lawful means for carrying these judgements into effect, the Church, as a Church, should have no connexion with any political party and should have no recourse to those "carnal weapons" which the very authority on which her existence depends has explicitly forbidden her to use.

The idea that at the Restoration the Government of Charles II wantonly attacked a Church that otherwise would have remained at peace and in the enjoyment of hardly won liberties is not in accordance with facts. The Church, as we have said, was divided into two warring factions—that of the Remonstrants or Protesters and that of the Resolutioners. The former were the extreme Covenant party and had as their symbol the Remonstrance of the Western army after the Battle of Dunbar in which they refused to fight any longer in the cause of Charles II.[1] The Resolutioners were the more moderate party which accepted him as a Covenanted King, and they derived their name from their support of certain resolutions passed in the Parliament and General

[1] Carlyle, *Cromwell*, vol. III p. 77: *The Great Marquess*, p. 256. The name Protesters was derived from a protest handed in at a meeting of the General Assembly at Dundee in July, 1651 (*Life of Robert Blair*, p. 277).

Assembly for the admission of Royalists to office under certain conditions.[1] The Protesters, who numbered perhaps about a third of the Presbyterian clergy, claimed, probably not without reason, to be more religious than their opponents.[2] They were very eager to purge the Church of all those whose opinions they regarded as unsatisfactory and to fill up vacant charges with those who uttered their shibboleths. In their opposition to the King they naturally drew somewhat closely into sympathy with the party of Cromwell, though, with the fatal skill in splitting hairs which has afflicted so many of their nation, they were able to differentiate their political principles from what they called "English errors."[3] The Resolutioners on the other hand adhered steadily to the cause of Charles II, and came under the disfavour of the Government of the Commonwealth for their sympathy with the insurrection under Glencairn and Middleton which had been so troublesome to the English authorities. The General Assembly, in which they would have had a majority was dispersed by English soldiers in 1654 before any business was transacted, and no subsequent meeting of that body was allowed to be held. During the rest of the period of the Commonwealth though the Protesters had considerable liberty in the matter of meeting together and of managing their own affairs, the Resolutioners were kept under very rigid control.[4] The leaders of the latter party accordingly appointed an agent to represent them in London. His business was to act as an intermediary with the English Government, to resist unreasonable proposals and schemes of the Protesters, and in general to watch over the Church's interests of which the Resolutioners might from their numbers fairly claim to be the guardians. This agent was a James Sharp, minister of Crail, who was afterwards to attain to an unenviable

[1] *Life of Robert Blair*, p. 271.
[2] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 16.
[3] Baillie, *Letters*, vol. III, pp. 244-6 : *Life of Robert Blair*, p. 362n.
[4] Baillie, *Letters*, vol. III, p. 244.

notoriety as an Archbishop.[1] His shrewdness and ability extorted the admiration of Cromwell, who said of him: "That gentleman after the Scotch way ought to be called Sharp of that ilk", i.e., Sharp of Sharp.[2] It is interesting to observe that the English Government during this period strengthened their hold upon Scotland by playing off the one of these factions against the other. Thus Cromwell distinctly favoured the Protesters, while Monck, especially during the later period of the Commonwealth, carefully maintained friendly relations with the Resolutioners.[3]

The two parties were inclined to take the same view of the situation when Charles II was restored, viz., that the obligations incurred by him and by them and by their brethren in England in the matter of the Solemn League and Covenant were to be religiously observed. Thus at a meeting of the Protesters at Edinburgh a petition was drawn up to be sent to the King, "containing" we are told, "a congratulation, [and] putting him in mind of his oath of Covenant, and wishing that what was done contrary thereunto in his chapel and family at London might be redressed."[4] Baillie may be accounted a favourable specimen of the Resolutioner party, and his feelings at this crisis may be taken as representing theirs. "Are we to sitt dumb," he exclaims, "and never open our mouth, neither to King nor Parliament, nor our brethren the ministers of England, to request them to adhere to their Covenant and Petition against Books [Liturgy] and Bishops. I was sore afflicted when it was told me by my neighbour that Lauderdaill went to the chapell to hear Bishops preach and say Amen to all the service, as much as any about Court and defended his practice by conscience. I hope this must be false."[5]

[1] *Life of Robert Blair*, pp. 328, 336.
[2] *True and Impartial Account*, p. 34.
[3] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 15.
[4] *Life of Robert Blair*, p. 357: Wodrow, *History*, vol. I, p. 57: Kirkton, *History*, p. 72: *Lauderdale Papers*, vol. I, p. 59.
[5] *Letters*, vol. III, p. 409. See also *Lauderdale Papers*, vol. I, p. 58, from which it appears that Lauderdale's guilt was aggravated by the loud voice in which he repeated the responses.

Alas ! Lauderdale was in this reign to commit such weighty crimes both in his public and private life that, compared with them the sin of listening to Bishops preaching and of saying "Amen" to their liturgical prayers was but as the fine dust of the balance.

The Rev. Robert Blair of St. Andrew's was "reckoned one of the wisest men in the nation" [1], and, as belonging neither to the party of the Protesters nor to that of the Resolutioners, had tried to mediate between them with the result that he had as he said been "cuffed upon both haffets [cheeks] by them" [2]; but even he shared the fears that now agitated them both. "Matters in England," he says, "are thus all going wrong,—the sworn Covenant forgotten by prince and people, the covenanted reformation defaced, national and personal perjury not regarded, nor laid to heart as a horrible provocation, and land-destroying abomination." [3] To us who are divided by centuries from these events and to whom the Covenants are as much out of date as old almanacks the thought of the guilt of perjury being incurred by their being repudiated may seem almost grotesque ; but there can be no doubt that to multitudes in that age whose consciences were operative it was a matter of very real anxiety. [4]

We should not form an adequate idea of the condition of public feeling in Scotland if we were to overlook the fact that it was affected by that in England, and that just as in the latter country the Restoration was marked by an outburst of long repressed feeling against the domination of Puritanism, so in the former country the younger generation was inclined to chafe against the Covenants which had originated in circumstances with which they were unfamiliar and many of them were not averse to a change in ecclesiastical matters. "The generality of this new upstart generation," said Robert Douglas,

[1] Wodrow, *Analecta*, vol. III, p. 92.
[2] *Life*, p. 343 : Brodie, *Diary*, p. 43 (Spalding Club).
[3] *Life of Robert Blair*, p. 370.
[4] Wodrow, *History*, vol. I, p. 22 : *Reliquiæ Baxterianæ*, I, sect. 99, 100.

one of the leading Resolutioners, "have no love to presbyterial government; but are wearied of that yoke, feeding themselves with the fancy of episcopacy or moderate episcopacy." [1] In the north of the country the zeal manifested in favour of the Covenant had been, even when at its height, somewhat lukewarm. It was now so far diminished that one may say that in the region beyond the Tay no resistance or even remonstrance was likely to be aroused by a return to Episcopacy. [2] In this highly complicated condition of matters the Government of Charles II had no easy task in coming to a decision as to what should be done in the way of settling the ecclesiastical affairs of the northern kingdom.

[1] Wodrow, *History*, vol. I, p. 21 : a letter written to Sharp.
[2] Grub, *Ecclesiastical History of Scotland*, vol. III, p. 181.

CHAPTER VI.

Sharp's Action in the re-introduction of Episcopacy into Scotland—Meeting of Scotch Parliament—Rescissory Act—Deliberations concerning Church government—Episcopacy decided upon—Bishops appointed.

In order that we may fully understand the effect produced on the country by the overthrow of Presbyterianism and the re-establishment of Episcopacy, it is necessary to recapitulate the manner in which the change was wrought and the parts played by some of the chief agents in accomplishing it. Among these must be reckoned the James Sharp to whom we have recently referred. In dealing with him we are anxious to be scrupulously fair and to place before our readers an exact narrative of his procedure before expressing any opinion as to its character. Much odium has attached to his name on the ground of his supposed treachery to the cause of which he was a prominent guardian. But the mere fact that he saw fit to change sides in ecclesiastical politics is not necessarily discreditable to him. In cases of this kind charges of hypocrisy should not be lightly made :

> " For neither man nor angel can discern
> Hypocrisy, the only evil that walks
> Invisible, except to God alone,
> By His permissive will, through heaven and earth. " [1]

Before and since his time men have with a good conscience

[1] Milton, *P. L.*, III, 680.

seen fit to burn what they had adored and to adore what they had burned. The question has, therefore, to be decided as to whether he can be reckoned in this class. This we can do without imputing motives to him, as, fortunately for our purpose, if not altogether fortunately for his own reputation, he has left abundant material for settling the question. [1]

We have then to bear in mind the fact that Sharp was sent up to London in a somewhat informal way to watch over the interests of the Presbyterian Church in Scotland, and that he received his commission from a knot of the more prominent members of that section of the Church which, from its numbers and from its pursuing a national rather than a sectarian line of policy, was well entitled to speak in the name of the whole. We refer of course to the Resolutioners. He was supported by money raised not without difficulty by them, [2] and he enjoyed their fullest confidence. Baillie says that he was "a very worthie, pious, wise and diligent young man," whom "we trusted as our own souls." [3] It has been said in favour of Sharp that "so long as he was entrusted with a commission for a specific purpose he discharged his task with faithfulness and ability." [4] This is perfectly true, but at the same time we cannot fail to observe that all through his correspondence with those whose agent he was he gives them to understand that he is in fullest sympathy with their opinions and aspirations. Thus on Mar. 4th, 1660, he says of matters in England: "The great fear is that the king will come in, and that with him, moderate episcopacy at the least will take place here. The good party are doing what they can to keep the covenant interest on foot, but I fear there will be much

[1] This is to be found in the documents incorporated in Wodrow's *History*, and in *The Lauderdale Papers*, 3 vols (Camden Society, 1884-5). Estimates of Sharp's character formed previous to the publication of the latter are of little value.

[2] *Life of Robert Blair*, p. 344 : Wodrow, *Analecta*, vol. I, p. 14.

[3] *Letters*, vol. III, pp. 352, 460. Sharp was born 1613 and was assassinated in 1679.

[4] Grub, *Ecclesiastical History of Scotland*, vol. III, p. 192.

ado to have it so." [1] Later on in the same month he remarks in a letter that he is very generally thought of both in England and in Brussels, where Charles II then was, as "a Scottish rigid Presbyterian", and with a touch of sanctimoniousness he adds: "This nation [i. e., the English] is not fitted to bear that yoke of Christ" [2]—a phrase which we hope expressed his feelings at the time and was not merely meant for consumption in Scotland. The same benevolent hope may be cherished with regard to passages like the following, which are strewn through the correspondence with judicious and by no means lavish hand: "Petitions come up from counties for episcopacy and Liturgy. The Lord's anger is not turned away. The generality of the people are doting after prelacy and the Service book." [3]

In the beginning of May, 1660, he went as an envoy from Monck to Breda [4] to give Charles II an account of the General's procedure and to suggest the line of policy towards parties in England which the King should adopt. Sharp took occasion to speak also as a representative of the Church of Scotland. "I find the king very affectionate to Scotland," he says, "and resolved not to wrong the settled government of our Church..... I was most kindly entertained and the king hath a great affection for our country and kirk." [5] Later on when Charles had returned to England Sharp formally presented to him an address from those whose agent he was, containing assurances of the loyalty of the King's Presbyterian subjects in Scotland and of their trust that he would be constant to the engagements into which he had entered with them. He was also instructed to remind the King that whatever it might be necessary to do in England in the matter of reintroducing Episcopacy, there was no call to interfere with the settled government of the

[1] Wodrow, *History*, vol. I, p. 8.
[2] *Ibid*, vol. I, p. 17.
[3] *Ibid*, vol. I, p. 44.
[4] *Lauderdale Papers*, vol. I, p. 26n.
[5] Wodrow, *History*, vol. I, p. 29.

Church of Scotland to which the nation was attached. [1] Though no formal reply was given apparently to this address there was no reason to believe that Charles disapproved of its contents. Sharp says that "a high loose spirit" appeared in some of the nobles and others from Scotland who were in London. "I hear," he says, "they talk of bringing in Episcopacy into Scotland; which, I trust they will never be able to effect. I am much saddened and wearied out with what I hear and see." [2] The upshot of matters was that the Resolutioners, while they saw with regret that the Presbyterian cause in England was lost, believed that their interests in Scotland were safe, and awaited, with perhaps occasional twinges of anxiety, the ratification of the King's verbal promises by the Parliament which was soon to meet and by the General Assembly which they hoped would soon be summoned. The Protesters, however, were not kept in any suspense with regard to the treatment which they were to expect. For little time was lost in apprehending their leaders on charges of treason. [3]

In a letter which Sharp brought down to Scotland addressed by the King to the Robert Douglas to whom we have already referred and who was a minister in Edinburgh, a message was sent to the Edinburgh Presbytery to be communicated by them to the whole Church, in which any hostile procedure against the existing order of things seemed to be definitely abjured. In it Charles expressed his satisfaction with the loyalty manifested by the majority of the Presbyterian clergy in Scotland during the years of trial through which they had passed; and then added the words—the insincerity of which was soon to be placed beyond doubt,—"we resolve to protect and preserve the government of the church of Scotland, as it is settled by law, without violation." Some directions are added

[1] Wodrow, *History*, vol. I, pp. 22, 31.
[2] *Ibid*, vol. I, p. 39.
[3] *Ibid*, vol. I, p. 71 : Kirkton, *History*, p. 74 : Lamont, *Diary*, p. 158 : Baillie, *Letters*, vol. III, p. 446.

as to measures to be taken in dealing with ministers who sowed seeds of disaffection, by which the Protesters are not obscurely indicated, and the document concludes with some very pious phrases regarding 'earnestness in prayer' and 'fresh and constant supplies of Divine grace', which have a certain piquancy as having been probably composed by Sharp, as having been uttered by Charles II and written out by Lauderdale, who signs the letter as Secretary for Scotland.[1] The letter was received by the Presbytery with great joy and orders were at once given for a silver casket in which to enshrine it.[2] The incident reveals the Church in a humiliating position—apart altogether from the fraud of which she was to discover that she was the victim—and it suggests that the privilege of having "Kings for nursing-fathers"[3], may be a very expensive luxury. The hint as to dealing with the Protesters was acted upon and a number of the more extreme members of that party were deposed from the ministry.[4]

The union of Scotland with England which had been forcibly effected by Cromwell, and which had resulted in many material advantages so far as the northern kingdom was concerned, was now dissolved, and until the meeting of Parliament the management of affairs there was entrusted to the Committee of Estates nominated by Charles II and the Scotch Parliament of 1651. The Earl of Glencairn was made Lord Chancellor, and the Earl of Lauderdale Secretary of State, as already said, while General Middleton, now raised to the peerage as Earl of Middleton, was appointed to preside as Royal Commissioner in the Parliament which was summoned to meet on Wednesday, the 12th Decr., 1660.[5] No parliament having been held in Scotland for nearly ten years past, the proceedings in connexion with the opening of

[1] Wodrow, *History*, vol. I, p. 80 : Nicoll, *Diary*, p. 299.
[2] Kirkton, *History*, p. 76.
[3] *Isaiah*, XLIX, v. 23.
[4] Grub, *Ecclesiastical History of Scotland*, vol. III, p. 174.
[5] Lamont, *Diary*, p. 157 : Nicoll, *Diary*, p. 325. The Parliament was afterwards postponed till Jany. 1st. 1661.

that now called were conducted with special magnificence. A thousand horsemen met the Royal Commissioner at Musselburgh to escort him to Edinburgh. Few of the nobility were absent from the riding in state from Holyrood to the Parliament House on the opening day. [1] The rich apparel, the gold and silver lace, silk, satin, and velvet which adorned those who took part in the cavalcade dazzled the eyes of spectators unfamiliar with such gorgeous pageantry, and made them think they were looking on a procession of princes rather than of subjects. [2] The conduct, however, of many if not, indeed, of the great majority of those now installed in power soon made it evident even to the most charitable or credulous witnesses of it that after all they were very ordinary mortals; for the idea that loyalty and debauchery were closely allied duties, and that decency and rebellion were kindred vices seemed to be a ruling principle with them. [3] The widespread dissoluteness of manners which accompanied the Restoration both in England and Scotland and was so serious as to call for the publication of Royal edicts to restrain it, [4] threatened to become a hindrance even to the transaction of public business. Thus it is recorded of Middleton that he "was sometimes so disordered [with wine] that when he had appeared upon the throne in full parliament, the president upon the whisper of the principal members would be necessitate to adjourn;" and the assembly in which he represented the majesty of the Crown was known as "the drinking parliament." [5] The matter deserves attention not only as an illustration of the condition of public morals at that time, but also as casting some light upon the character and mood of those

[1] Baillie, *Letters*, vol. III, p. 462.
[2] Kirkton, *History*, p. 87 : Nicoll, *Diary*, p. 315.
[3] Kirkton, *History*, p. 114 : Burnet, *History of My Own Times*, vol. I, p. 114.
[4] Wodrow, *History*, vol. I, p. 81 : Nicoll, *Diary*, p. 291 : McCrie, *Memoirs of Veitch*, etc., p. 80 n ; Fountainhall, *Historical Observes*, p. 152.
[5] Kirkton, *History*, p. 114. A similar state of what may be called "unstable equilibrium" is described by Renan as a characteristic of society in ancient Ephesus : "*La vie publique dégénérait en bacchanale*" (*St. Paul*, p. 338.)

who took it upon themselves to change the constitution of the national Church.

The secret instructions given by Charles II to Middleton with regard to the matters to be transacted in Parliament indicate, naturally enough, a desire to revert to the condition of things in Scotland before the Royal prerogative had been diminished and reduced to the shadow of a name by armed resistance. In forming a judgement of their character, we have to remember that from Charles's point of view Scotland had for nearly a quarter of a century been seething with revolution, and that his first task was to establish in it something like constitutional government. Accordingly the Royal Commissioner was instructed to see that the proceedings of the Parliament of 1643 which had met without the sanction of Charles I, and that of 1649 which, though nominally summoned by him, had been controlled by the faction hostile to him, were declared null and void. Some ground of reason might doubtless be shown to exist for this requirement, though the proposed measure was an extreme one. Charles, however, went on to say that in Parliaments duly called and authorized by his father, Acts had been passed which infringed on the royal prerogative, such as that e.g., which took the appointment of Officers of State, Privy Councillors and Judges out of the hands of the King, and placed it in those of the Parliament, and that the Royal Commissioner was to endeavour to get such Acts rescinded. [1] The monstrous character of this recommendation scarcely needs to be pointed out. It proposed to annul statutes and laws which had been decided upon by Parliaments duly summoned and which had been solemnly accepted and ratified by Royal authority. To overthrow such Acts was to destroy all security for law and order ; and to do this under the guise of legislative enactment was surely a refinement of absurdity. For what could be more ridiculous than to introduce a law that would for ever

[1] *Lauderdale Papers*, vol. I, p. 39.

deprive laws of the security which gives them vigour? The proposal excited strong opposition even in the Parliament which in so many respects was after the King's own heart, and in which, by the restoration of the old method of conducting business through the Lords of the Articles nominated by the Crown, the Royal power was so predominant.[1] Endless controversy seemed likely to arise out of discussions as to whether this or that measure limited the Royal prerogative and therefore called for rescission: and accordingly it was proposed, at first apparently in jest, that the easier plan would be to annul all the Parliaments that had been held during the period from 1640 to 1648 inclusive, except in so far as they had legislated in favour of private rights.[2] As it was not possible for even the most servile courtier to propose such a measure without the colour of a reason, the excuse was alleged that Charles I had been coerced by his rebellious subjects into making concessions which infringed upon the Royal prerogative. The Act Rescissory, as it was called, though strenuously opposed by some, as we have said, was carried by a large majority and was instantly confirmed by the Royal Commissioner;[3] and thus in a day all that had been gained by lavish expenditure of blood and treasure was swept away, and Scotland stood where she was when Charles I and Laud began to menace her liberties, except that now she was too weak and impoverished to offer effective resistance to the new schemes which had been formed for her enslavement. The anxious doubts concerning the peace and prosperity of the Church which had begun to move in the hearts of many were replaced by the certain conviction of approaching disaster, for with the Act Rescissory all the legislative enactments by which her constitution was fixed fell to the ground.

[1] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 53: *The Great Marquess*, p. 93: Burnet, *History of my Own Times*, vol. I, p. 118.
[2] *Ibid*, p. 117: *Lauderdale Papers*, vol. I, p. 76.
[3] Burnet, *History of My Own Times*, vol. I, p. 119: *Life of Robert Blair*, p. 381.

It is necessary for the completeness of our narrative to relate the part which Sharp played in this new turn of public affairs : but our reference to the matter will be very brief. The quarter from which our information is derived is a series of letters written by Sharp to a Rev. Patrick Drummond, a Presbyterian minister in London, who was in communication with Lauderdale. In these letters which cover a period from Jany. 12th, 1661 to Apr. 15th of the same year, Sharp appears in the character of a zealous Presbyterian who dreads and resents any possible change of the kind which many thought was at hand. Soon after Middleton came to Scotland as Royal Commissioner, he had summoned Sharp to act as his chaplain, but the latter is careful to let his correspondent know that he has no relish for his employment, and that he had not gone near the Court until sent for. [1] During the month of January of the period above referred to he declares that he has no reason to believe that there is any " design to alter our Church government—certainly he is not privy to it—and he does not see how any such design could be carried out. [2] He complains sadly of the suspicions which are afloat concerning him and take such a definite shape as to represent him as " an apostate covenanter ", and he sees no other resource than " patience under the hand of God who sees fit " to subject him to this trial. [3] Early in February he says : " I now begin to foresee a tryall coming upon this church, the Lord fitt us for it." [4] " Believe it, " he assures his correspondent, " our leading honest men are fixed in their way, " [5] and again : " I tell you my apprehension that endeavours will be usit to bring innovations upon us, but I am confident they will not take effect ; honest men are resolved to stick together, and what can they [i. e. the enemy] then doe ? " [6] In

[1] *Lauderdale Papers*, vol. I, pp. 61, 66.
[2] *Ibid*, p. 66.
[3] *Ibid*, p. 67.
[4] *Ibid*, p. 72.
[5] *Ibid*, p. 74.
[6] *Ibid*, p. 75.

March he expresses his amazement at the proposal to rescind Acts of Parliament against Episcopacy and for Presbytery. "What matter of fear and greif," he exclaims, "this surprisal hath caused to ministers and people you may judge!" [1] "If the Lord interpose not in a way we know not of, I see not how we can escape trouble" [2] He informs Drummond that he is in constant intercourse with Robert Douglas, whose zealous championship of the cause now in danger was known to all, and he refers to this fact of intimacy as a testimony to his own sincerity. "Sure," he says, "if he did distrust me he would not use me as he does: there is nothing of publick matters I can learne which I doe not impart to him." [3] In company with Douglas he has a long interview with the Royal Commissioner in reference to Church matters, and they entreat that the Presbyterian form of ecclesiastical government may at least be kept inviolate for two or three years as "a tryall and experiment." [4] Time after time he expresses a desire to abandon political entanglements, and like the Psalmist he sighs for some haven of rest for his weary soul, where he might escape the noise of coming confusions which he would rather hear of than witness. [5] And finally on Mar. 21st. he says: "I have not stept awry..... I declare to you I have not acted directly or indirectly for a change amongst us, nor have I touched upon Church government in sermons or conferences at our court or elsewhere." [6] His meaning of course is that he has had no private interviews with Middleton for the discussion of ecclesiastical affairs. He adds in his last letter to Drummond: "My inocensy I hope will answeare for me in a time of more composure then [than] this is. I doe appeal to the continued tenor of my actions, which witness for me in

[1] *Lauderdale Papers*, vol. I, p. 77.
[2] *Ibid*, p. 78.
[3] *Ibid*, p. 85.
[4] *Ibid*, p. 85.
[5] *Ibid*, pp. 86, 87.
[6] *Ibid*, pp. 87, 89.

the judgement of all impartiall and unbyassed observers, and I can with patience and hope committ myselfe, my credit [and] conscience.... into the hands of my faithfull Creator, who knowes my way and will bring my integrity to light." [1]

These words were written on Apr. 15th, and three weeks later Sharp was in London in confidential intercourse with Clarendon, planning with him the restoration of Episcopacy in Scotland and rejoicing in the more favourable opinion which the Lord Chancellor was now inclined to form of him. From Clarendon he learned what the King's purpose was with regard to the Church of Scotland, and he says in a letter to Middleton from which these facts are drawn, "by what he did communicat to me... I found that which your Grace was pleased often to tell me was not without ground" [2]. What can this mean but that he had had many conversations with Middleton in Scotland about Church matters and the proposed restoration of Episcopacy? We may leave it to those who still think that Sharp's character for honesty or integrity or anything else that is creditable is capable of rehabilitation to reconcile this last statement with what he said on Mar. 21st., as to his never having touched on Church government 'in conferences at court or elsewhere'. In collaboration with Lauderdale he prepared a quibbling proclamation, to which we shall refer later on, which the King was to issue to prepare the way for the coming change. With a disgusting servility which contrasts strangely with his previous utterances, he says: "I should think the time for our settling will be more seasonable and proper after that your grace hath come hither [i. e. to London] and so ordered the way of it, as that the perfecting of the work may be upon your hand from whom it had its beginning and under whose countenance and protection it must thrive and take rooting. Your Grace knowes the work is of great consequence and will not

[1] *Lauderdale Papers*, vol. I, p. 94.
[2] *Ibid*, vol. II, App. p. LXXIX.

want its difficulties: which can only be overcome by your prudence and resolution." [1]

Burnet says that when Sharp went to Breda he took a letter of introduction from the Earl of Glencairn to Hyde, afterwards Earl of Clarendon, recommending him as the only person capable of managing the design of setting up Episcopacy in Scotland [2]; and Robert Douglas was also of opinion that Sharp's determination to take the course which afterwards brought so much discredit upon him was of that early date (May, 1660). [3] But in the absence of proof positive we find it impossible to believe that Sharp, whose cleverness is beyond all question, would have committed himself to a scheme of this kind when Presbyterianism was still so strong both in Scotland and in England. The deliverance of England from the yoke of the Covenant was a matter of more immediate importance to Hyde and his associates than that of embroiling Scotland in new discords. Nor can we believe that Sharp would have continued openly to champion the cause of the Church of Scotland as he did down to the time when he brought Charles II's letter to Edinburgh, if he had had a definite scheme of the kind attributed to him lying in his mind. It was the utterly unexpected and startling success of the proposal to rescind the Acts of Parliament on which the establishment of Presbyterianism rested that opened the way for the introduction of its rival. Charles II and Hyde doubtless wished the extinction of the religious system which they hated so bitterly, and, as we have seen, Sharp says that Middleton often spoke to him about it, but it was the Act Rescissory that transformed the object of their pious wishes—if the phrase be permitted—into a matter of practical politics. The contemporary historian to whom we have already referred is of the opinion that Sharp, after seeing the success of Monck in protesting against the King and in favour of a Commonwealth

[1] *Lauderdale Papers*, vol. II, App. p. LXXIX.
[2] *History of My Own Times*, vol. I, p. 92.
[3] Wodrow, *History*, vol. I, p. 28.

down to the very moment of restoring Charles,[1] resolved upon an imitation of it on an humbler scale in dealing with the Church of Scotland. But as this is a matter of conjecture our readers may, if they choose, believe that the similarity of their methods was a mere coincidence. More interest attaches to his narrative of what Sharp alleged in defence of his procedure immediately after he became an Archbishop. "He said to some," says Burnet, "from whom I had it that when he saw that the King was resolved on the change, and that some hot men were like to be advanced whose violence would ruin the country, he had submitted to that post on design to moderate matters, and to cover some good men from a storm that might otherwise break upon them. So deeply did he still dissemble; for now he talked of nothing so much as of love and moderation."[2] Sharp may have had some of the love for good men which he professed to have, and which the historian so roundly refuses to believe in; but we can say without fear of contradiction that if he had it, the history of his administration in Scotland shows that he "dissembled" it very successfully. Some have thought that simultaneously with his advent to power there was "a loosing of Satan", like that in apocalyptic vision, to work his wicked will in the land. But if it were so perhaps this also was a mere coincidence. We shall often have occasion to revert to him, but happily we shall not need to devote so much attention to him as we have done in the last few pages. Our readers, we think, will now have a clear idea of some of the leading characteristics of the man whose tyrannous rule and tragic death form such a striking chapter in the history of his native country.

All things having been thrown into confusion by the Act Rescissory, a proclamation composed by Sharp[3] was issued in which the King declared his resolution to

[1] Whitelocke, *Memorials*, p. 684 : Welwood, *Memoirs*, pp. 122, 366.
[2] *History of My Own Times*, vol. I, p. 133 : Wodrow, *Analecta*, vol. I, p. 90.
[3] *Lauderdale Papers*, vol. II, App. p. LXXIX.

preserve the true Protestant religion, and after taking due advice to settle the government of the Church in such a manner as might be "most agreeable to the word of God, most suitable to monarchical government, and most complying with the public peace and quiet of the kingdom".[1] In the meantime the administration of affairs by Sessions, Presbyteries and Synods was authorized. None of the officials of the Church, except Sharp, were consulted with regard to the changes thus indicated as at hand, and there seemed every probability that the arbitrary procedure of 1637 by which the Church's organization and mode of worship were altered and settled by a mere royal warrant was likely to be repeated.[2]

Yet though the government of the Church by Sessions, Presbyteries, and Synods was in the meantime authorized, steps were promptly taken to hinder the Church's attempting to ward off coming evils. At various Synods held during April and May strong expressions of loyalty to the existing order of things and protests against innovations were uttered. In several instances proceedings were interfered with, and the Synods forcibly dissolved by persons sent by the Royal Commissioner to watch over matters. In the case of the Synod of Dumfries it is specially recorded that the Earl of Queensberry and the Earl of Hartfield, who perpetrated this outrage at it, were both "miserably drunk" when they came in to discharge their invidious task.[3] The Westminster Divines had maintained the right of the civil magistrate to be present at Synods and "to provide that whatever was transacted at them should be according to the mind of God."[4] They had prescribed that if the civil magistrate were a heathen, Synods might be held independently of him,[5] but they had not legislated for

[1] Wodrow, *History*, vol. I, p. 151.
[2] Baillie, *Letters*, vol. III, p. 459.
[3] Wodrow, *History*, vol. I, p. 123: Kirkton, *History*, p. 118.
[4] *Confession of Faith*, chap. XXIII.
[5] *Ibid*, chap. XXXI.

the case in which he was nominally Christian and was present in a state of intoxication and hostility. The Synod of Aberdeen was the only one which welcomed the prospect of the re-establishment of Episcopacy, and even it alluded to the matter in covert and ambiguous terms. Twenty-four years before they had been concussed into accepting the Covenant and Presbyterianism. They now lamented the weakness which had been their misfortune, if not indeed their fault ; and with that fervid penitence which often accompanies acknowledgement of the sins of others they deplored the rebellion against the royal authority in the days of Charles I, which had had such far reaching results. [1]

The matter of settling the government of the Church had been formally entrusted to the King by the decision of Parliament, and it was carefully considered by him and by his leading councillors in Scotch affairs. The statutes which established Presbyterianism in Scotland had been blotted out, and that form of Church-government now only existed there as a temporary arrangement, but it was by no means a matter of course that it should be abolished. The Cavalier party in England with which Middleton and Glencairn were in full sympathy was eager for the policy of abolition, but Charles himself, though behind none of them in his hatred of Presbyterianism, was inclined to doubt the wisdom of the proposal. On every account it was a matter of great moment to him that Scotland should be well-affected to his government. [2] It cannot be doubted that he was anxious to increase greatly the power of the Crown, and the experience of his father had shown what serious obstacles in the way of such a scheme a disaffected party in Scotland might raise. He openly declared that he well remembered the great aversion of many in Scotland to the rule of cleric over cleric involved in Episcopal Government. [3] He was strongly supported by the Earl

[1] Grub, *Ecclesiastical History of Scotland*, vol. III, p. 181.
[2] Burnet, *History of My Own Times*, vol. I, p. 107.
[3] *Ibid*, p. 131.

of Lauderdale and the Earl of Crawford, [1] who assured him that the national dislike to that form of ecclesiastical rule was strong, and that the opposition to it would be both fierce and obstinate. They recommended that either a General Assembly in Scotland should be summoned to consider the matter or that the ablest Divines on both sides should be consulted regarding it. [2] Some very plain statements were made by the Duke of Hamilton which must have grated harshly upon the ears of Charles. He reminded the King that the Acts of Assembly, which had fixed the present constitution of the Church in Scotland and had been approved by Royal Commissioners, were yet unrepealed, [3] and he roundly declared that the Act Rescissory would not have been passed so smoothly as it had been but for the letter from His Majesty to the Ministers of Edinburgh promising to continue and protect Presbytery. [4] On the other hand Middleton and Sharp asserted that no serious opposition to the change was likely to be encountered. The Protesters as being insignificant in numbers and in danger of suppression on account of their disloyalty might be ignored, while the Resolutioners with but few exceptions would, they said, acquiesce in the change. The King was told that public feeling in Scotland had altered very much during the ten years which had elapsed since he was there, and that the Presbyterian party had been discredited in the estimation of the people at large by their high-handed procedure when in power. The Duke of Ormond urged the consideration that it would be difficult to maintain Episcopacy in Ireland if Presbyterianism were continued in Scotland, as the northern counties of Ireland, in consequence of the strong Scotch element in the population

[1] John Lindsay, Earl of Crawford, was created in 1633 Earl of Lindsay and Lord Parbroath, and called himself Earl of Crawford-Lindsay. He was Treasurer in 1644, was deprived of his office in 1649; imprisoned in England from 1651 to 1660: restored to the Treasurership in 1661, but retired in 1663: died in 1678 in his 81st year. He was a cousin of the Earl of Balcarres.

[2] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 54.

[3] These Acts were rescinded by Parliament on Sept. 5th, 1662. (*Ibid*, p. 63)

[4] *Ibid*, p. 55.

there, were very much affected by what took place in Scotland. All were agreed that if the change were to be made it should be made at once, while the loyal feelings with which the Restoration had been welcomed were still warm and before an Act of Indemnity had been passed in Scotland. This last mentioned circumstance was quite worth taking into account, for legislating is rendered a distinctly easier task when the bow-string is round the necks of political opponents. These various arguments weighed with Charles and he gave way, though "with a visible reluctancy", to the change of Church-government in Scotland of which a majority of his councillors approved.[1]

Yet though Charles was indifferent to the claims of a *jus divinum* for Episcopacy, and would have preferred to let Presbyterianism remain as the form of church-government in Scotland we must not imagine that any external pressure was needed to urge him to exercise arbitrary rule in that country. The supremacy of the Crown in matters ecclesiastical as well as civil was a principle which he was determined to enforce in any case. It would be quite a mistake to suppose that Episcopacy and Presbyterianism then stood for tyranny and liberty respectively. There was nothing in the nature of Episcopacy to make it more oppressive than Presbyterianism. Indeed it is easy to imagine a more searching and unrelenting rule being exercised by the latter than by the former. But at this juncture in the history of Scotland it happened, one might say almost accidentally, that Episcopacy was the instrument lying ready to the hand of the civil power for carrying out that desire to control the Church which has so often led to religious persecution.[2] As we shall

[1] Burnet, *History of My Own Times*, vol. I, p. 131 : Wodrow, *History*, vol. I, p. 224 : *Life of Robert Blair*, p. 398 : Mackenzie, *Memoirs of the Affairs of Scotland*, p. 52 : Kirkton, *History*, pp. 128, 131.

[2] "La seule chose à laquelle l'empire romain ait déclaré la guerre en fait de religion, c'est la théocratie..... Il n'admettait aucune association dans l'Etat en dehors de l'Etat. Ce dernier point est essentiel : il est à vrai dire, la racine de toutes les persécutions" (Renan, *Les Apôtres*, p. 351.)

afterwards see, when the Bishops attempted to claim some independent authority they were instantly and rudely checked by the power which had established them and which alone maintained them in their place. "For" as Sir George Mackenzie says, "the Government did sustain Episcopacy as a part of the State, but never as a hierarchy wholly independent from it."[1]

The new order of things was ushered in by a royal proclamation made with great pomp at the Market Cross of Edinburgh, on Sept. 6th, 1661.[2] In this it was declared that the King having promised to maintain the Church of Scotland settled by law, and the Parliament having rescinded all Acts passed since the late troubles began, the system he was now bound to maintain was that government by Bishops, which had been abolished twenty-three years before. Apart from the fact that this step was in flagrant violation both of earlier oaths and of recent promises to protect the Presbyterian establishment, the cynical shamelessness of the terms in which the change was announced was nothing less than revolting. Even the zealous Episcopalian historian, Dr. Grub, is at one with us in this opinion. "The manner", he says, "in which the re-establishment of Episcopal government was announced admits of no defence. To justify the changes by an express reference to the letter of August, 1660, and to pretend that the repeal of the various statutes in favour of Presbyterianism, which was effected by the influence of the Crown, made Episcopacy the form of Church Government settled by law, which he was now bound in terms of that letter to maintain, was a fraud and delusion. This proceeding shook all confidence in the King's sincerity, and excited a strong dislike to the Episcopal polity, at the very time when it was most important to conciliate the national feeling in its favour".[3] That Charles II yielded to the

[1] Quoted in Innes *Studies in Scottish History*, p. 90.
[2] Nicoll, *Diary*, p. 340; Mackenzie, *Memoirs of the Affairs of Scotland*, p. 57.
[3] *Ecclesiastical History of Scotland*, vol. III, p. 185.

opinion of others in entering on this line of policy we have already seen ; but nothing should have moved him to present himself to his subjects in the character of a perjurer and a cheat. The political party which were now dominant in England were " high-fliers " in the matter of Episcopacy, and ascribed the King's willingness to leave Presbyterianism undisturbed to religious indifference. [1] To their religious zeal was added the political consideration that by means of the Bishops in Parliament the Crown would recover the complete control over the transaction of affairs there which had been wrested from it twenty years before. [2] Bishops, too, were generally credited with holding the doctrine of the Divine Right of Kings, and with commending to subjects the duty of passive obedience in all circumstances. [3] These were ideas which the Cavalier statesmen of the Restoration deemed it desirable to implant in Scotland, though the political climate there was somewhat unpromising for their growth in anything like luxuriance. Not many years were to pass before even in the region where these ideas were indigenous, Bishops would welcome an armed invader of the territory of the Lord's Anointed, but by that time the *reductio ad absurdum* of their principles and of the House of Stewart was quite complete. [4]

No time was lost in choosing persons for the Episcopal Office. Thomas Sydserf who had been Bishop of Galloway was still alive and was the only survivor of the Bishops who had been deposed in 1638. He was judged unfit in qualifications for the responsible post of Primate, and obtained some compensation for any disappointment he may have felt in connection with the matter by receiving the wealthy Bishopric of Orkney. [5] Sharp himself was appointed Archbishop of St. Andrews,

[1] Burnet, *History of My Own Times*, vol. I, p. 131 : Wodrow, *History*, vol. I, p. 224.
[2] *The Great Marquess*, p. 93.
[3] Kirkton, *History*, p. 131.
[4] Henson, *English Religion in the 17th Century*, p. 149.
[5] *Life of Robert Blair*, p. 398 ; Burnet, *History of My Own Times*, vol. I, p. 132.

Primate and Metropolitan of all Scotland, Andrew Fairfoul, formerly Parish Minister of Duns, received the Archbishopric of Glasgow, while James Hamilton and Robert Leighton, ministers at Cambusnethan and Newbattle respectively, were chosen for the dioceses of Galloway and Dunblane. It was decided that these four should be ordained as bishops in London, and should on their return to Scotland fill up the other ten vacancies which existed.[1]

A difficulty, however, arose with regard to the status of two of those who were now to be raised to the episcopate. Fairfoul and Hamilton had been ordained by Bishops under the old Episcopal Government in Scotland, but Sharp and Leighton had only received Presbyterian ordination, which the English prelates refused to recognise. A similar difficulty had arisen in 1610 on the establishment of Episcopacy in Scotland, but it had then been decided to accept Presbyterian ordination as valid on the ground that to reject it would be to unchurch the Protestant communities on the continent. But the good sense and kindly feeling of those pre-Laudian days had now disappeared, and Sharp found that he could only become Archbishop by confession that his Presbyterian ordination had been an imposture. Leighton was on principle indifferent to ceremonies, and would willingly have been ordained or re-ordained a score of times, if he had entered as many churches successively which refused to recognise the validity of each other's orders ; but Sharp hesitated for a time before consenting to accept office on these terms. He finally decided to submit to re-ordination, and on intimating this fact to Sheldon, Bishop of London, was told with a bitter sneer that it was a Scotch custom to "scruple at everything and to swallow anything."[2]

[1] Wodrow, *History*, vol. I, p. 238.

[2] *Ibid*, p. 239 : Burnet, *History of My Own Times*, vol. I, p. 140 : Kirkton, *History*, p. 137 : Wodrow, *Analecta*, vol. I, p. 89 : *Life of Roberl Blair*, p. 399. See also Henson, *English Religion in the 17th Century*, pp. 25, 28. Sheldon had evidently forgotten the apostolical injunction to "speak the truth in love" (*Eph.* IV-15.)

The ordination of the four prelates took place with considerable pomp at Westminster Abbey, Sunday, Dec. 15th, 1661, and after some delay the new Bishops went down into Scotland and ordained those appointed by the Crown to the vacant sees. It is worthy of remark that they did not re-ordain any of these who had been in the condition of Sharp and Leighton as above described, and thus, according to the strict rule, which the latter had accepted, the orders of several of the new Bishops were invalid, and the nation was called upon to render obedience to some who had no claim to it. Sharp himself took possession of his see of St. Andrews in the April of 1662, and on Sunday, the 20th of that month he preached his first sermon in his diocese from the words : "For I determined not to know anything among you save Jesus Christ and Him crucified" (1 Cor. II.-v. 2)[1] It has been suggested that the text chosen indicates that the Archbishop was not altogether devoid of a sense of humour.

[1] *Life of Robert Blair*, p. 405.

CHAPTER VII.

Intrigues to ruin Lord Lorne—He is supported by Lauderdale—He is accused of " Leasing-making " and condemned to death—He is again imprisoned in Edinburgh Castle—Severity towards Presbyterian recusants—The Billetting Act—Downfall of Middleton—Lord Lorne released and the Earldom restored to him—The search for the Spanish treasure.

We have described the breach of faith on the part of the King and the reactionary policy in Scotland with as great brevity as the importance of the matters concerned admits of, and we now return to the events in the life of Lord Lorne, which form the special subject of this work. No apology, however, need be made by us for thus apparently digressing from the matter in hand, since apart from the fact that this is a history of his times as well as a narrative of his life, it is impossible to understand the part he played in Scotland in the reign of Charles II, unless we have a clear idea of the causes of the turmoil and misery which oppressed that country for more than a quarter of a century after the Restoration.

The sentence of death passed upon the Marquess of Argyll on the charge of treason carried with it forfeiture of honours and estates. The King, however, was inclined to restore the Earldom of Argyll and the ancestral property to Lord Lorne, though strong pressure was brought to bear upon him to secure the ruin of the House of Campbell. Attempts were made to persuade him that the zeal of Lord Lorne in his behalf had been a device arranged between him and his father to protect the family,

whichever side in politics came to be uppermost. [1] The steadfast zeal with which Lord Lorne had wrought and suffered in the royal cause for the past twelve years was surely a sufficient answer to this accusation. Yet but little reliance could be placed upon the fickle gratitude of Charles as a protection against danger; it was, to use Rabshakeh's words, "but a bruised reed on which if a man lean it will go into his hand and pierce it." [2] The precarious nature of the position in which Lord Lorne was placed is indicated in a letter of the time from his aunts, the Ladies Victoria and Isabella Campbell, to Elizabeth, Queen of Bohemia, asking her to use her influence with her nephew, Charles II, on his behalf. These ladies, who were half-sisters of the Marquess of Argyll, were Roman Catholics in religion and were nuns in a convent in Brussels. [3] They wrote in terms of anxious supplication to the Queen of Bohemia, asserting that Lord Lorne was exposed to the machinations of powerful enemies and imploring her to take his part. Her successful interposition, they said, "would change their tears for their brother's misfortune into gratitude for Her Majesty's kindness and their sighs into continual prayers for the prosperity of the royal House." [4] The influence of the widowed Queen, whose own misfortunes and sorrows had excited for her the sympathy of the whole Protestant world, might, if she chose to exert it, have had some weight with Charles II; but probably Lord Lorne found in the friendship of Lauderdale a more efficient help at the present crisis of his affairs. The latter, though not yet possessed of the astonishing influence over the King which he afterwards exercised, had already begun to acquire it. Lord Lorne was a connexion of his by marriage, Lady Lorne being a niece of the Countess of Lauderdale; while Middleton,

[1] Burnet, *History of My Own Times*, vol. I, p. 130: Foxcroft, *Supplement to Burnet*, p. 5.

[2] *2 Kings*, XVIII, v. 21.

[3] They were the issue by a second marriage of the 7th Earl of Argyll. See various notices of them in *The Great Marquess*, p. 342.

[4] Brit. Mus. *Add. MSS.*, 24024, f. 42.

the most dangerous enemy of the House of Campbell, was on other grounds Lauderdale's own "dearest foe". On both the grounds therefore of kinship and of political sympathy, Lauderdale was likely to use his influence on Lorne's behalf, while his position as a Secretary of State and a prominent councillor in Scotch affairs gave him opportunities of helping his friend. His own situation was by no means without its dangers, as his prestige had suffered somewhat in the recent contest with regard to Scotch ecclesiastical affairs in which he had been worsted, but it was still strong; while his support of his kinsman was part of the warfare against a rival faction in which defeat meant for him political extinction, if not, indeed, death upon the scaffold [1]. Notwithstanding his eminent business capacity and the personal influence over the King which he was able to exercise, his position at Court was precarious. He strengthened it by means which would have horrified those who in his early days had credited him with saintliness; for he pandered to the vicious pleasures in which his royal master indulged and he formed a firm alliance with the Countess of Castlemaine whose power over Charles was so tyrannous and lasting [2]. We are told on good authority that friendship is impossible among the wicked, [3] so it is certain that the alliance in question was a purely mercenary contract. As the royal mistress was ravenously greedy, one is not surprised to find that before Lauderdale had been long associated with her he was in straits for ready money [4]. From some quarter he must have obtained a fresh supply, for the Countess was unfailing in her support of him against all his enemies. The singularity of his appearance and

[1] There was a risk of his being indicted for high treason for his share in the surrender of Charles I to the English: see Carte, *Life of Ormond*, p. 272: *Lauderdale Papers*, vol. I, pp. 114n, 125; Lingard, *History*, vol. IX, p. 99: Mackenzie, *Memoirs of the Affairs of Scotland*, p. 131.

[2] Kirkton, *History*, p. 158: Burnet, *History of My Own Times*, vol. I, p. 129: Wodrow, *History* vol. I, p. 347.

[3] Cicero, *De Amicitiâ*, chap. 22.

[4] *Lauderdale Papers*, vol. I, pp. 107, 121.

manners is vividly described by Burnet who knew him intimately. " He made a very ill appearance, " says the historian, " he was very big : his hair red, hanging oddly about him : his tongue was too big for his mouth, which made him bedew all that he talked to : and his whole manner was rough and boisterous, and very unfit for a court " [1].

In the meantime there was some danger of the Argyll estates being so diminished in value as to leave almost nothing for the maintenance of the Earldom if it were given back. The Huntly family pressed for the restoration of property on which the Marquess of Argyll had had claims as a creditor, and which had passed into his hands ; while the Marquess of Montrose demanded back an estate which had been given to Argyll as some compensation for the frightful losses inflicted on him by the royalist general. Numerous other creditors clamoured for payment of debts out of estates which, though extensive, would not have been sufficient to meet all the claims made upon them. Curiously enough, Lorne was supported by Middleton in resisting the indiscriminate partition and distribution of his ancestral property, for the latter hoped in the end to obtain the main part of it for himself. [2]

The dangers which threatened Lord Lorne were considerable, but by an act of indiscretion he intensified them greatly, and fell completely into the power of his enemies. A great obstacle in the way of his restoration to the Earldom and estates of Argyll lay in the animosity towards him of Clarendon who was Middleton's patron. One of the friends of the English Chancellor, a Lord Berkshire [3] undertook to pacify him on receiving the promise of £1000 Sterling. Lord Lorne wrote from

[1] *History of My Own Times*, vol. I, p. 101.

[2] *Ibid*, p. 130: Wodrow, *History*, vol. I, p. 273: Foxcroft, *Supplement to Burnet*, p. 6.

[3] This was Thomas Howard of Charlton, Wiltshire, second son of Thomas, 1st. Earl of Suffolk. He was created in 1622 Baron Howard of Charlton and Viscount Andover, and in 1626 Earl of Berkshire.

London to his brother-in-law, Lord Duffus,[1] now in Scotland, and gave him an account of this intrigue. He said that since he had made sure of the great man upon whom Middleton depended, he hoped that no real danger hung over him ; and in reference to the conduct of some of his enemies in the Scotch Parliament he used the words, "and then the King will see their tricks."[2] The letter was intercepted at the post-office and carried to Middleton who at once laid it before Parliament. It was agreed that these words contained a gross reflection upon Parliament and that by them Lord Lorne had exposed himself to the capital charge of "Leasing-making", or of sowing dissension between the King and his subjects.[3] Nothing could well be more monstrous than to found a criminal charge of such a serious character upon expressions of irritation found in a private letter which had been obtained by an act of treachery. The Parliament, however, formally requested the King to give orders for Lorne to be apprehended and sent down to Scotland for trial, and they commissioned Lord Tarbet, one of Middleton's faction who was then in London, to act as their agent in this affair. The communication reached Tarbet on the Sunday morning, and a meeting of the Council was called by the King on the same day to consider the matter. Charles, we are told, gave it as his opinion that the letter Lord Lorne had written was very indiscreet but that there was nothing criminal in it.[4] Tarbet pressed for his immediate apprehension, but Lauderdale urged that a promise to appear before Parliament and stand his trial should be accepted as sufficient. The latter's purpose was that it might be

[1] Alexander Sutherland, 1st. Lord Duffus, was the son of William Sutherland of Duffus. He was the brother-in-law of Lord Lorne, as the latter married Mary Stewart, the eldest daughter of the Earl of Moray, while Lord Duffus married as his third wife the next sister, Margaret.

[2] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 70: Kirkton, *History*, p. 143.

[3] Brodie, *Diary*, p. 262.

[4] Burnet, *History of My Own Times*, vol. I, p. 148 : Acts of *Parl. of Scot.*, vol. VII, p. 380.

inferred that the King and Council did not take the matter very seriously, and also that the accused might avoid the disadvantage of appearing as a prisoner at the bar of Parliament. As it was urged that the crime was that of treason and could not be treated so lightly as he proposed, Lauderdale offered himself as cautioner for his kinsman, life for life. Some objection was made to the acceptance of this arrangement, but the Lord Chancellor supported it in order to involve Lauderdale in the odium connected with the charge of insulting the Scotch Parliament, and to engage Lauderdale's enemies against Lord Lorne whom he hated passionately. At the close of the meeting of Council, Lauderdale, Tarbet and Newburgh, the last-named being another of Middleton's party, were ordered to intimate the decision to the accused, and to request him to give up the name of the person who had undertaken for a bribe to secure the Chancellor's favour. The interview took place at Lauderdale's lodgings. Lord Lorne at once agreed to go down to Scotland to be tried, but he requested to be allowed to reveal the name asked for to the King alone. To his astonishment he learned that this could not be granted him. "This being refused by Lauderdale," says our informant, "who told him that he was not to see the King's face, this answer did extremely confound him ; and both of them being struck by it into a thoughtfulness that drew tears from them, Tarbet was thereby moved to condescend [consent] that Lorne should write to his Majesty ; and the letter having expressed the name of that undertaker [i. e. Lord Berkshire] was shown to Chancellor Hyde, whose favour was ever after lost by the undertaker." [1]

The King could scarcely, indeed, have acted otherwise than he did ; for it would have been almost impossible to admit the accused to an interview without infringing the rights and privileges of the Parliament by which he was to be tried. In a communication sent by him to the

[1] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 72.

authorities in Edinburgh he was careful to state the course he had followed when solicited to allow Lord Lorne to see him.[1] At the same time Charles sent definite instructions to Middleton that no sentence that might be passed was to be executed without the matter being again referred to him. On Thursday, July 17th, the accused reached Edinburgh and appeared at the bar of the Parliament, and was at once committed, for the second time in his life, to custody in Edinburgh Castle.[2] There can be no doubt that he stood in great peril. The crime with which he was charged was one for which in his own memory the death-sentence had been executed,[3] though the public mind had then been somewhat shocked by the occurrence.[4] He did not deny the facts on which the charge was based, and all that he could do was to plead extenuating circumstances. He made no defence," says Burnet, "but in a long speech he set out the great provocation he had been under, the many libels that had been printed against him ; [that] some of these had been put in the king's own hands, to represent him as unworthy of his grace and favour ; so, that after all that hard usage, it was no wonder, if he had writ with some sharpness : but he protested he meant no harm to any person ; his design being only to preserve and save himself from the malice and lies of others and not to make lies of any. In conclusion he submitted himself to the justice of the parliament, and cast himself on the king's mercy."[5] He was formally condemned to death and the date and place of execution were left to the decision of the Royal Commissioner. And so, on Tuesday, Aug. 26th, 1662, he knelt down at the bar of the Parliament, as his father had done fifteen months before, and heard the same sentence of beheading pronounced upon himself.[6]

[1] *Acts of Parl. of Scot.*, vol. VII, p. 387.
[2] *Ibid*, vol. VII, p. 385 : Brodie, *Diary*, 267.
[3] *The Great Marquess*, p. 128.
[4] Baillie, *Letters*, vol. I, p. 381.
[5] *History of My Own Times*, vol. I, p. 149.
[6] Lamont, *Diary*, p. 186: Nicoll, *Diary*, p. 377: Wodrow, *History*, vol. I, p. 297.

The sentence shocked public opinion both in Scotland and England very considerably, and probably the Lord Chancellor Clarendon expressed the feelings of many when on hearing of it he blessed God "that he lived not in a country where there were such laws."[1] It is remarkable that Lord Lorne was doomed twenty years later to be the victim of an equally monstrous perversion of justice in the guise of a judicial sentence. The fact that the King had ordered that the sentence was not to be executed without further instructions from him was taken by some as reducing the proceedings to a farce, and accordingly as diminishing to a certain extent the disgrace connected with them.[2] But the mere fact that the execution of the sentence depended upon the will of another did not lessen in any degree the baseness of those who had passed it. So venomous was the mood of the faction which had now the control of affairs in Scotland that they passed an Act making it a criminal offence to petition the King in favour of restoring the children of those who had been attainted by Parliament.[3] This was evidently aimed at Lauderdale and contemplated not only Lord Lorne's political and social extinction but that of his family. As Middleton had no authority for this Act, his procedure in the matter was one of those incidents which discredited his administration and led to his downfall. Another attempt by him to place his rival, Lauderdale, at a disadvantage was equally unsuccessful. As an almost necessary consequence of the overthrow of Presbyterianism in Scotland, an Act was passed ordering all persons in public trust to repudiate the National and the Solemn League and Covenant as unlawful and seditious obligations. Middleton hoped that this Act would compel Lauderdale to resign his Secretaryship, but the latter cheerfully declared that he would sign a cartload of such oaths and indeed turn Turk rather than lose his office.[4]

[1] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 133.
[2] Burnet, *History of My Own Times*, vol. I, p. 149.
[3] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 82.
[4] *Ibid*, p. 84 : *Quarterly Review*, 1884, p. 417.

The confusion of ecclesiastical matters in Scotland was greatly increased by the blundering of Sharp and by the reckless tyranny of the Parliament under Middleton's fatal influence. In the reign of James VI when Episcopacy was last introduced into the country, the continuity of Church life was not broken by the change. Presbyteries met in their usual way, and when bishops came and sat down in them, though their presence and the power they claimed were regarded by many as acts of usurpation, the authority of these courts remained undiminished. Sharp, however, secured the publication of a decree forbidding Presbyteries to meet until the bishops had settled upon a method of proceeding in them. The result of putting an end to the older institution and of introducing another of a totally different cast was to emphasize the fact that an ecclesiastical revolution had taken place, and to impress upon all who consented to it that they had changed their principles and swallowed any scruples they might have had.[1] Had Presbyteries been allowed to remain and had bishops taken their places in them, opposition would in course of time have passed away, as the older men died out and others brought up under the new system filled up the vacancies.

The legislative Act which abolished Patronage in 1649 having been itself removed from the Statute-book by the Act Rescissory, the legal status of those ministers who had received benefices since that date was seriously affected. It would only have been just to pass a special Act confirming these men in the possession of their benefices which they had obtained in accordance with the law as it existed at the time that they received them. The Parliament, however, decided that they should be deprived of them within three months from the date of the Act, unless they obtained presentation from patrons and applied for collation to the bishops of the dioceses in

[1] Burnet, *History of My Own Times*, vol. I, p. 141 : Wodrow, *History*, vol. I, pp. 235, 248 : Brodie, *Diary*, p. 236.

which they were.[1] This may be described as the fatal step which led to all the disorder and misery and horror which mark the history of Scotland in this reign. By what may be fairly described as a shameless act of despotism, the Government by blotting out the legislation of twenty years had obtained a legal advantage over its opponents. It then proceeded to press this advantage with the utmost severity against those who were indisposed to acquiesce in the injustice of which they were the victims. With the cynical incredulity—amounting almost to judicial blindness—which has more than once characterized those who have dealt oppressively with the Presbyterian Church, the authorities were convinced that none or few of the ministers would lose their stipends for Nonconformity. "What will these mad fellows do?" exclaimed Middleton with oaths and curses when he discovered his mistake.[2]

When the day fixed by the Act, Sept. 20th, 1662, came, it was found that few had applied for collation, and at the advice of Fairfoul, the Archbishop of Glasgow, the executive government proceeded to enforce the law. By an Act of the Privy Council at Glasgow on Oct. 1st, those ministers who had not obeyed the orders given were forbidden to officiate in their churches and were commanded to remove themselves and their families out of the bounds of their Presbyteries before the close of the month. This led to the instant resignation of at least two hundred ministers, principally of the party of the Protesters and resident in the southern and western counties of Scotland. Even Sir George Mackenzie who afterwards won so unfavourable a reputation as Lord Advocate declares that this measure was blamed by all wise and good men.[3] It deprived extensive tracts of the country of religious ordinances, and created a discon-

[1] *Acts of Parliament of Scotland*, vol. VII, p. 390.

[2] Wodrow, *History*, vol. I, p. 284 : Kirkton, *History*, p. 149. In the circle of the Royal Commissioner at Holyrood the calculation within a few hours of the Disruption (1843) was that between twenty and thirty might secede.

[3] *Memoirs of the Affairs of Scotland*, p. 78.

tent which despair of redress rendered extremely bitter and dangerous. It is only fair to Sharp to say that he disapproved of this peremptory measure and said that the folly of the Archbishop of Glasgow had well-nigh ruined them.[1] He would have preferred a gradual supersession of the disaffected clergy. Middleton, however, had but little respect for the opinions of the Bishops whom he looked upon as his creatures, and he only acted on Fairfoul's advice because it harmonized with his own overbearing temper. The date by which all who refused to submit to the orders of the Government were to resign their benefices was again postponed, and was fixed for March 1st, 1663, but this was done rather to give time for filling up vacancies than as a measure of relief to those upon whom the ordinance in question pressed heavily.[2] No fewer than about three hundred and fifty of the clergy were ultimately ejected from their livings—the number already mentioned as affected by the Act of the Privy Council having been augmented by that of those who were deposed for refusing to attend the new diocesan courts, or for other acts of contumacious resistance to the new *régime*.[3] As it is sure that men who are willing to suffer hardship in what they regard as a holy cause have in their characters a strain of devotion and heroism, we can safely conclude that the great majority of those who now left the Established Church must have deserved the affectionate respect of their congregations. Consequently it is not surprising that multitudes preferred their ministrations to those of the men whom the Bishops installed as their successors, and that in private houses and in the open air those conventicles and field-meetings began to be held which the Government soon attempted to suppress with a strong hand. As the vacancies were numerous and the supply of candidates

[1] Burnet, *History of My Own Times*, vol. I, p. 154: Wodrow, *History*, vol. I, p. 283.
[2] *Ibid*, p. 286.
[3] See Grub, *Ecclesiastical History of Scotland*, vol. III, p. 209n.

somewhat meagre, it is quite possible that in some instances men received livings who were but poorly qualified for discharging the duties belonging to them; and it may well have been the case that the new-comers were as a rule inferior in moral and spiritual character to those whose places they occupied. But there is no reason to conclude that as a class they were both ignorant and immoral. They were certainly unfortunate in entering upon their office with the knowledge that a large section of their congregations was hostile to them, and in having to look for support to a Government that was as contemptuous of religious principle as it was ruthless in demanding outward conformity with the standard which it had set up.

In the opinion of that dispassionate historian, Hallam, no country in modern times was ever afflicted with a worse Government than that of Scotland during the reign of Charles II.[1] The realm lay at the mercy of officials who were insolent and rapacious enough to be qualified to act as Turkish Pashas, and the sovereign in whose name they exercised authority was not only far away but contemptuously indifferent to the cruelty and injustice of their proceedings. After the sacrifices which Scotland had made since 1648 for the Royalist cause, it might fairly have been thought that if an Act of Indemnity were necessary some formal and comprehensive measure of the kind would at once be decided upon, since even in England, the main seat of rebellion and of republican sentiment, an Act of Indemnity had been passed from the benefit of which only the regicides were excluded. On the contrary in Scotland the matter dragged on for several years, for it was not until 1665[2] that the Act was finally passed, and under it between seven and eight hundred persons were subjected to heavy fines and to

[1] "No part, I believe, of modern history, for so long a period, can be compared for the wickedness of government to the Scots Administration of this reign": *Constitutional History of England*, vol. III, p. 435.

[2] *Lauderdale Papers*, vol. I, p. 211.

other punishments not extending to life.[1] A convenient opportunity for extortion was thus given to Middleton and his party, and they did not fail to take advantage of it. The only just arrangement in the case of such fines would have been to make them debts recoverable by the State in the ordinary way, with no more severe penalties than those at the time attaching to omission or neglect to meet such obligations. The special infamy of this Act was that if the fine were not paid the indemnity was withdrawn, and the person concerned was exposed to all the penalties of treason.[2] This method of governing a country is certainly more in accordance with those alleged to be employed in the less reputable Mohammedan States than with civilized and Christian usage. The King by Lauderdale's advice extended the time for the payment of fines—a measure of partial relief to the sufferers—but Middleton suppressed the royal orders and exacted the money.[3]

It is satisfactory to know that this villain fell into a pit of his own construction. His position was insecure while Lauderdale was Secretary of State and near the royal ear; and accordingly he planned to supplement the fining of certain offenders by a measure incapacitating others from serving the Crown in any places of trust. If there were persons whose past history showed that they were unfit to be so employed, there would have been no injustice done if they had been openly named and visited with this punishment. But Middleton's scheme was tyrannical and audacious to the last degree. It provided for the exclusion of twelve persons to be nominated by ballot in Parliament—a measure like that of Ostracism in Ancient Athens. By this scheme the Parliament sought to exercise an autocratic power which even infringed on the royal prerogative, and to drive men from public life

[1] Wodrow, *History*, vol. I, p. 270: Burnet, *History of My Own Times*, vol. I, p. 149.
[2] J. H. Burton, *History of Scotland*, vol. VII, p. 157.
[3] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 82.

without giving them an opportunity of defending themselves. Those who are curious in such matters may read the history of the Billeting Act, as it was called, in the original sources, where it is recorded with even painful minuteness. [1] The substance of the intrigue may be stated very briefly. Middleton persuaded the King that the Parliament wished the measure and he assured the Parliament that the King had set his heart on it. The list of the victims, among whom Lauderdale was the most prominent, was selected with a great show of secrecy, and the document containing it was sealed up and despatched with solemn state to Charles II. So wily were the conspirators that they had agents posted on the road to London at various places so far south as Durham to intercept messengers from Edinburgh whom their opponents might send to the capital. Lord Lorne, however, though imprisoned in the Castle, succeeded in informing Lauderdale of his danger. He sent a messenger on horseback who avoided the main road until he had got into Yorkshire, and arrived in London before the messengers from the Parliament. [2] Charles received the sealed packet from the Royal Commissioner and flung it aside unopened, and after a formal enquiry into the matter had been instituted and the whole disgraceful proceedings had been brought to light, Middleton was superseded as Royal Commissioner. [3] Public feeling in England among the Royalist party was strongly in favour of him and hostile to his opponent. His frank and open manners and his reputation for straightforwardness made him popular; while his services as the leader of the Cavalier party in Scotland since the death of Montrose and his recent achievements in overthrowing the Covenant and in re-establishing Episcopacy, were regarded as condoning

[1] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 85: *Lauderdale Papers*, vol. I, passim: See also *Quarterly Review*, 1884, p. 417: Carte, *Life of Ormond*, vol. II, p. 271: *Life of Robert Blair*, p. 450: Foxcroft, *Continuation of Burnet*, p. 22.

[2] Burnet, *History of My Own Times*, vol. I, p. 151.

[3] *Ibid*, p. 202.

errors of judgement into which he might have fallen within the past few months. Lauderdale on the other hand had the reputation of artfulness and cunning and was widely hated at Court. He was credited with being a Presbyterian in principles and with acting almost avowedly as the representative of that party. [1]

It was not to be expected that the Scotch Bishops could remain unimpassioned spectators of the conflict between the Royal Commissioner and the Secretary for Scotland. Their gratitude towards Middleton, whose creatures in a sense they were, may have been somewhat insubstantial, but their dread of Lauderdale was real. So great was their agitation as they saw in the political sky the mounting scale of their champion that they resolved to intervene. After some persuasion Sharp, who had already written to the King on the matter, undertook to enter the arena against Lauderdale, and to settle the struggle by assuring the King that the standing or falling of Middleton meant the standing or falling of the Church—a statement more flattering to the Royal Commissioner than to the Church. Before he could arrive in London, Lauderdale received full information of the intrigue, no doubt from Lord Lorne as on the former occasion. When Sharp came to London and saw that Charles was alienated from Middleton he resolved at once, as our informant tells us, "to make great submissions to the Lord Lauderdale." The rest of the story as told by Burnet is certainly unedifying but is not lacking in humour of a grim order. "When Lauderdale," he says, "reproached him for his engagements with the Earl of Middleton, Sharp denied all; and said he had never gone farther than what was decent, considering his post. He also denied he had writ to the king in his favour. But the king had given the original letter to the Lord Lauderdale, who upon that showed it to Sharp; with which he was so struck that he fell a-crying in a most abject manner. He begged pardon

[1] Carte, *Life of Ormond*, vol. II, p. 272.

for it and said what could a company of poor men refuse to the earl of Middleton, who had done so much for them, and had them so entirely in his power. The lord Lauderdale upon this comforted him, and said, he would forgive them all that was past, and would serve them and the church at another rate than Lord Middleton was capable of doing. So Sharp became wholly his."[1] The Archbishop of St. Andrews congratulated himself upon his happy escape from a dangerous position ; while Lauderdale after giving the Bishops a right had no desire to weaken his position by allowing them to believe that he had any lasting hostility towards them. As a matter of fact he became more compliant towards them than he might have been if he had been always an Episcopalian, in order to avoid the suspicion of favouring the Presbyterians, and he only opposed the bishops when after a time they dared to set up some claim to spiritual independence.

The later career of the man whom the Scotch Bishops regarded as so essential to the prosperity of their Church is attended with a tragic interest of its own. A few months after he was superseded as Royal Commissioner he resigned the military posts which he held in Scotland,[2] and retired to the house of an old friend and companion in arms near Guildford in Surrey.[3] He made his peace with Lauderdale some four years later,[4] and afterwards was appointed Governor of Tangier, where he died in 1673 in consequence of injuries received by falling down the stairs of his residence in a drunken fit.[5]

The triumph of Lauderdale over his rival was both

[1] *History of My Own Times*, vol. I, p. 201.
[2] *Ibid*, p. 202 : *Lauderdale Papers*, vol. I, p. 191.
[3] This friend was named Dalmahoy and had formerly been Gentleman of the Horse to the Duke of Hamilton who was killed at the Battle of Worcester. This man had married the Duke's widow, and with her come into the possession of a handsome house and estate in Surrey (Burnet, *History of My Own Times*, vol. I, p. 203n.)
[4] *Lauderdale Papers*, vol. II, p. 44 : Mackenzie, *Memoirs of the Affairs of Scotland*, p. 49.
[5] Kirkton, *History*, p. 159 : Life of *Robert Blair*, p. 492.

Archibald, 9th Earl of Argyll.

sudden and complete. No doubt if he had chosen to accept the office he might have been appointed Royal Commissioner as Middleton's successor, but he owed so much of his power to his personal influence over Charles II and his alliance with Lady Castlemaine that he did not care to be absent for long from the Court.[1] The new Royal Commissioner was an adherent of his, the Earl of Rothes, whose father had been a turbulent leader of the Covenanting party in the early days of the contest with Charles I. He was a man whose native brutality of temper education had done nothing to soften, for he was deplorably illiterate, but his insinuating address and his cunning procured for him a considerable measure of success in the political life of his time.[2] The first act of his administration was his signing a warrant to release Lord Lorne from Edinburgh Castle (Mon., June 15th, 1663.)[3] The latter shortly after regaining liberty went up to London and was restored by Charles to the Earldom of Argyll, the Marquessate granted to his father being forfeited, and to a considerable portion of his ancestral estates.[4] The rest of the property was set aside to be sold for the benefit of his and of his father's creditors. It was, however, inadequate for the purpose, and this, as Burnet says, "occasioned a great outcry that long continued to pursue him."[5] A special provision was made for the two surviving sisters of the Earl, Lady Newbattle and the Countess of Caithness, by their being ranked as creditors on the estates whose claims had precedence of all others. The burden of debt upon the Argyll property, as we have explained elsewhere, was largely, if indeed not altogether, the result of obligations

[1] Pepys' *Diary*, 2nd. Mar, 1663-4.

[2] Mackay, *Life of Viscount Stair*, p. 75.

[3] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 117: Nicoll, *Diary*, p. 394: *Life of Robert Blair*, p. 422: Wodrow, *History*, vol. I, p. 380.

[4] Douglas, *Peerage*. The patent was dated Oct. 16th, 1663. See also Law, *Memorials*, p. 12: Kirkton, *History*, p. 143.

[5] *History of My Own Times*, vol. I. p. 205: *Life of Robert Blair*, p. 469. That Argyll was not a good manager of his pecuniary affairs was the opinion of at least one of his friends: see Brodie, *Diary*, p. 369.

incurred in the public service. Thus we find the Marquess pursued in 1655 for the payment of the cost of some provisions furnished to the Scotch army ten years before.[1] Charles II himself under his own hand and seal acknowledged a debt to him of £70,000 Sterling, and promised to repay it on the honour of a King—a promise which was never fulfilled. These facts should be taken into account in connexion with the complaints made by some at the time that the creditors were unfairly treated in the arrangements made when the Earldom was restored. So far as the arrangements for payment of creditors were concerned the Earl of Argyll was not responsible, for Commissioners were appointed by Charles II to settle the Argyll estates and they carefully considered the various claims brought before them and decided upon the way in which they were to be liquidated.[2]

For some time after he recovered his ancestral title and estates the Earl of Argyll was fully occupied in settling his private affairs, and in checking the disorders which had sprung up during the past three years in the extensive territories under his jurisdiction. Negotiations and arrangements with those who had claims upon his property, endeavours to control the disaffected and lawless sections of society within his borders, and to promote the interests of his vassals and tenants left him but little time for taking part in public affairs.[3] About this time the Earl began to devote some attention to a romantic scheme for acquiring wealth which has dazzled the imagination of various members of his house, but which has not, as yet, yielded any golden results. This was an endeavour to secure the treasure believed to lie hid somewhere in the wreck of one of the ships of the ill-fated Spanish Armada "dispersed by the mercie of God" in 1588. The vessel in question, named the *Florencia*, a

[1] *The Great Marquess*, p. 296.
[2] Brit. Mus. *Add. MSS.* 35, 125: fo. 126; Foxcroft, *Supplement to Burnet*, p. 83.
[3] *Letters of the Earl of Argyll* (Bannatyne Club), pp. 3-8: *Lauderdale Papers*, vol. I, p. 201.

galleon of over nine hundred tons, with a complement of over four hundred and eighty-six men, and carrying fifty-six guns, had a remarkable history. She was built and equipped by the Grand Duke of Tuscany and was sent by him fully manned with sailors and soldiers, as a contribution to the fleet, with which Philip II hoped to humble the pride of the heretical islanders who had once been under his sceptre. On board this vessel were a number of bronze cannon, cast at Fontainebleau by Benvenuto Cellini for Francis I, which that Monarch had taken with him when he invaded Italy and had lost at the battle of Pavia. The *Florencia* survived the running fight in the English Channel during the closing days of July, and she kept up with the main body of the Armada on its flight northwards to regain home by a circuit round the Orkneys. She was one of those upon which the great storm fell with appalling fury and drove upon hostile shores. She found herself off the coast of Mull and either by accident or design was burned when near the shore. So close in was she that in an explosion caused by the fire two men were thrown uninjured upon the beach. Their ultimate fate is unknown. The shattered hull then settled down in the Bay of Tobermory in water only eight fathoms deep at low tide. As the place where it sank was a clean hard channel with a light covering of sand and was free from strong currents, it seemed not unreasonable to suppose that all that was contained in the vessel when it foundered still remained within the wreck as it lay in the land-locked nook. Popular imagination credited her with having some "thirty millions of money" on board—£24,000,000 Sterling if the reckoning were in Spanish pistoles, and £2,500,000 Sterling if it were in pounds Scots.[1]

On Feb 5th, 1641, Charles I authorised the Duke of Lennox and Richmond, the Great Admiral of Scotland,

[1] For the above and following particulars we are indebted to documents kindly lent to us by His Grace the Duke of Argyll, and to the little volume, *Armada Cannon*, by Lord Archibald Campbell.

to bestow upon the Marquess of Argyll, near whose bounds the vessel had been cast away, a grant of all valuables he might recover from the wreck, upon payment of one *per cent.* of the proceeds after expenses had been deducted. Though the Marquess was occupied by many important affairs of state in the course of his busy life, he found time to attempt to dredge up the treasure by means of "doukers and other expert men", but he recovered nothing beyond a few cannon. In the March of 1665 the Earl of Argyll leased the wreck for three years to a James Mauld, of Melgund, who had learned in Sweden the art of working below water by means of a diving-bell.[1] The bargain was that the Earl should receive a fifth of the proceeds. But before the expiration of the lease Mauld evidently found some more lucrative engagement, for he abandoned the undertaking after bringing ashore some more cannon. For a time after this the Earl tried to carry on the work himself, but without much success. Ten years later he fell into the hands of a German, Hans Albricht van Treileben, who made many promises, but after a time decamped, "taking", as we are told, "no gold with him and leaving some debt behind him." The only thing he seems to have brought to the surface was a rusty anchor.[2] The Duke of York in 1677 claimed the wreck as Great Admiral of Scotland on the ground that the original grant to the Marquess of Argyll had been nullified by the Act Rescissory, and that in any case in the matter of wreckage the Admiral had only power to grant what might be recovered within his lifetime. The case was tried in the House of Lords and was decided in favour of the Earl of Argyll. The grounds on which this decision rested were that the King in virtue of the right of admiralty possessed by him had ratified the original grant and had formally by a new gift bestowed the vessel and its contents upon the Earl. It was also declared that it would be both unjust and a

[1] See also *Add. MSS.* 23, 122 : fo. 76, Brit. Mus.
[2] *His. MSS. Com. Report*, VI, pp. 625, 627.

serious obstacle in the way of business enterprise if one who had spent much time and money in a lawful undertaking were to lose the benefits for which he had laboured and if these were to be handed over to one who had spent no pains upon the matter. [1] The Duke of York acquiesced in the decision and wrote a courteous letter to the Earl with regard to it, in which he said that there was no reason why their each insisting upon what they believed were their legal rights should lessen their mutual esteem and kindly feeling. [2] From time to time the search for the Spanish treasure has been carried on, but to this day the precise spot where it lies remains a secret as deep as that of the hiding-place of the fatal Nibelungen hoard which Hagen flung into the Rhine.

[1] Morison, *Decisions*, vol. XIX, p. 16792 : Fountainhall, *Historical Notices*, vol. I, p. 109.
[2] *Hist. MSS. Com. Report*, VI, p. 616.

CHAPTER VIII.

"The Bishops' Drag-net"—Misgovernment of Scotland—Risk of Insurrection—*Emeute* in Galloway—Insurgents March to Edinburgh—Defeated at Rullion Green—Argyll's energetic support of the Government—Humiliation of Sharp—Glimpses into Argyll's family-life—Death of the Countess of Argyll.

In accordance with the harsh and tyrannical legislation on which the Parliament had entered an Act had been passed in the Session of 1663, by which all persons who habitually and wilfully absented themselves from attendance at the churches of their own parishes were liable to heavy fine. This measure was popularly known as "the Bishops' drag-net".[1] The title was perhaps suggested by one of the parables in St. Matthew's Gospel, but nothing more foreign to the spirit of Christianity could well be conceived. That nothing might be wanting to complete the infamy of the measure ministers were required to act as informers, and soldiers were empowered to exact the fines. The whole history of the remainder of the reign of Charles II in Scotland may be summarily described as a series of futile and blood-stained efforts to enforce this monstrous Act. What wonder was it that the religious instincts of the people who had been so disgracefully deceived by the Government of the Restoration revolted both from the Prelates and from those who conformed to the new order of things, and that

[1] *Acts of Parl. of Scot.*, vol. VII, pp. 455, 456 : Wodrow, *History*, vol. I, pp. 344, 350 : Hume Brown, *History of Scotland*, vol. II, p. 390.

multitudes of devout, intelligent men and women decided to cast in their lot with those who seemed "the people of God", even although their politics were frantically impracticable and the tone of their religious life tended to become somewhat narrow and rancorous under the brutalizing influence of persecution? For we must not forget that persecution has an evil effect not only upon those who exercise it but also upon those who suffer from it. From the latter it may indeed weed out hypocritical pretenders but it inclines the rest to exaggerate unimportant characteristics into essential principles, and to cherish a bitter resentment against their oppressors, which must lower the tone of the religious life even though it may not extinguish spirituality of character. [1]

No one who has not looked into the matter can form any idea of the crushing and irritating tyranny to which the people of Scotland were exposed from the very beginning of the period when Prelacy was again established. The Privy Council virtually usurped the authority of Parliament and superseded the law-courts of the realm. It imposed ensnaring tests and exacted severe and illegal penalties. Suspects were treated as convicted malefactors, and many ministers of religion were, without the semblance of a trial, forbidden to exercise their sacred functions and imprisoned or banished. In some instances they were compelled to promise to go into exile and not return to their native land on pain of death. [2] Soldiers, as we have said, were employed to exact fines from those who did not attend Divine service in their own parish churches; and, though at first but limited powers were entrusted to them, they soon began to act as if in an enemy's territory and perpetrated deeds of cruelty and barbarity, without being called to account

[1] The coarseness of tone which too often defaces the pages of historians like Kirkton and Walker illustrates the statements above made. It has not been sufficiently reprobated by those who have written in sympathy with the Covenanting cause.

[2] Wodrow, *History*, vol. I, p. 303.

by those who had let them loose upon the country.[1]

Nor were the miseries attendant upon religious persecution the only evils which afflicted Scotland at this time, though they have generally been the most prominent in the histories which have been written of the period. The annual grant to the Crown from Scotland of £40,000 Sterling, which had been enthusiastically voted by the "Drinking Parliament," was a very heavy tax upon its resources,[2] and this burden was distinctly increased by the embezzlement of public money of which some of the highest officials were guilty. The legislation which excluded Scotch cattle and corn from the English markets inflicted a heavy blow upon the trade of the country; but a still more ruinous effect was caused by the long war with Holland which began in 1664, and which closed the ports to which for centuries Scotland had sent the bulk of her produce. The widespread distress produced by this condition of matters is indescribable, and very soon after the outbreak of the war with Holland the risk of a rebellion in Scotland became imminent. Had a body of Dutch troops been landed it is quite certain that the Western shires would have risen at once. So exasperated were the minds of a large section of the population, the Royal Commissioner tells us, that they would have joined with Turks against the English Government; and if ten thousand stand of arms had been landed very few days would have passed before they were in the hands of as many "pretty men."[3] And, as though all these sources of disquietude and confusion were insufficient, there were many of the impoverished nobles and gentry who were anxious to "fish in troubled waters." They eagerly desired a rebellion in the country in order that they might receive military employment in the way of suppressing it, and batten on the forfeitures which would follow.[4]

[1] Wodrow, *History*, vol. I, pp. 346, 375.
[2] *Lauderdale Papers*, vol. I, pp. 211, 225.
[3] *Ibid*, vol. I, p. 265.
[4] *Ibid*, vol I, p. 257n.

The state of matters was regarded by the authorities as very grave, and no time was lost in taking precautions which would either prevent an insurrection or render it abortive. It was resolved to put the country in a posture of defence and to disarm all suspected persons, especially in districts where the population was known to be most hostile to the ecclesiastical policy of the Government.[1] A number of the principal gentlemen also of the Western shires who were devoted to Presbytery, and of others, who for various reasons were dissatisfied with the present administration, were arrested and detained in prison as a precautionary measure.[2] Three of these, a Major-General Robert Montgomery, a Colonel Robert Halket, and a William Ralston were apprehended and imprisoned by the Earl of Argyll. But Lieutenant-Colonel Wallace who had been a brother-officer of his in 1650 when he was Lord Lorne and in command of the infantry regiment of Life Guards, and who was now an ardent Covenanter, managed to escape his vigilance.[3] Had Argyll succeeded in taking him prisoner it is very probable that the Pentland Rising would not have occurred, for as we shall see it was that officer who welded a disorderly mob of malcontents into a military engine that shook the Government of Scotland. Secret overtures were made to the States General of Holland, now at war with Great Britain, by some of the more desperate of those in Scotland who described themselves as "friends of religion," and as persons who were "anxious to vindicate from restraint and oppression the Reformed Worship of God."[4] They announced their intention of attempting without delay to seize the fortresses of Edinburgh, Stirling and Dumbarton and asked for aid in this enterprise. The plot, however, failed, and as the Dutch authorities had made the seizure of one at least of these strongholds a condition

[1] *Life of Robert Blair*, p. 477.
[2] Wodrow, *History*, vol. I, p. 425: McCrie, *Memoirs of Veitch*, etc., p. 385.
[3] *Letters from the Earl of Argyll*, p. 28.
[4] McCrie, *Memoirs of Veitch*, etc., p. 387.

of sending assistance, nothing more came of the scheme of help from abroad. Not only were these daring conspirators intimidated by the prompt measures of the executive government, but their hand was forced by an *émeute* in Kirkcudbrightshire.

In the village of Dalry, in Galloway, on Nov. 13th., 1666, three or four soldiers had apprehended a man who had incurred fines for non-attendance at the parish-church and were threatening him with torture by fire to extort money from him. He was rescued from their hands by a neighbouring proprietor, MacLellan of Barscobe, and some associates of his who were themselves suspects and fugitives, and had accidentally come into Dalry on that morning. The news of this occurrence led to a surprisal on the same day of the small garrison of soldiers a few miles off at Balmaclellan, and also to a resolution to seize the principal military officer of the district, Sir James Turner, who was stationed at Dumfries.[1] Most of his men were scattered over the countryside, and before he could summon them or obtain other reinforcements from a distance, he found himself a prisoner in the hands of the insurgents, now some hundred and fifty in number. Turner had been oppressive and cruel in his procedure. When the Privy Council afterwards enquired into it they convicted him of having practised sixteen different illegal methods of extorting money.[2] No doubt when he was now apprehended he expected to be put to death. He ran considerable risk of this fate from the vengeance of irritated and fanatical opponents, and probably he owed his life to the fact that not only had quarter been promised him on his arrest but that many of those

[1] Crichton, *Life of Blackader*, p. 136: Kirkton, *History*, p. 229: *Life of Robert Blair*, p. 500.

[2] Wodrow, *History*, vol. II, p. 102: *Naphtali*, p. 212. An attempt has been made by A. Lang to whitewash Turner. See article in *Blackwood's Magazine* July, 1903: "A Christian under the Covenant." Burnet says: "Sir James Turner was naturally fierce, but was mad when he was drunk and that was very often", (*History*, vol. I, p. 211).

concerned in the *émeute* had not yet fully decided upon open rebellion against the constituted authorities. They declared themselves for King and Covenant and drank Charles II's health at the town-cross of Dumfries, and asserted that their only purpose in taking up arms was to insist upon redress of their ecclesiastical grievances. [1]

Immediately after the capture of Turner the insurgents proceeded across the country in a leisurely but tumultous manner, carrying him as a prisoner with them, and by the time they reached Ayr their numbers had increased to over seven hundred. [2] In the meantime tidings of the rising had been conveyed to Edinburgh and the authorities there had ordered General Dalziel to advance upon Glasgow and to deal with the rebels wherever he might find them to have drawn to a head. Almost a week elapsed before Dalziel was able to carry out his instructions and to set out from Glasgow in pursuit of the insurgents. [3] The latter had received a very important accession in the person of the Colonel James Wallace already mentioned as a colleague of Lord Lorne in 1650. This brave and able officer had seen a good deal of service in the Civil War, and by his skilful handling of the irregular forces over which he now became commander he kept the royal troops at bay for a few days and made a gallant show in the engagement which crushed the insurrection. There is reason to believe that he had during this year been deeply involved in the negotiations with the Dutch Government already described, and that he felt constrained, both by conviction and by the conditions on which foreign aid was promised, to support the rising in Galloway. A better leader the insurgents could not have found, for he was not only an experienced soldier but also a fanatical supporter of the Covenanting cause. His appearance in the rebel camp boded little

[1] Wodrow, *History*, vol. II, p. 18 : Law, *Memorials*, p. 16.
[2] Turner, *Memoirs*, p. 158.
[3] Wodrow, *History*, vol. II, p. 19.

good to Turner, for he would willingly have treated him as Samuel treated Agag.[1]

As there was no further hope of reinforcements from the south and south-west the Whigs resolved to march eastward with the view of gaining recruits in Clydesdale and of advancing upon the capital where they were convinced they had many friends. On the 23rd of Nov., they were at Cumnock, while Dalziel was at Kilmarnock only some fifteen miles away. Neither party was inclined to hazard an engagement. Wallace felt the serious lack of proper equipments to enable his irregulars to confront the King's troops, while Dalziel knew that if he experienced a check the insurrection would at once assume alarming proportions. Both armies accordingly proceeded eastwards towards Lanark—the Royal forces advancing in a direct line through Strathaven, while the insurgents took a circuitous route through Cumnock, Muirkirk, Douglas and Lesmahago. Every day of this brief campaign of little more than a fortnight the weather was broken and the journey had to be made in high wind and grievous rain—a circumstance which bore very heavily upon the ill-equipped and ill-fed insurgents. Some of them proposed to abandon the enterprise but the conviction which most of them held firmly that the movement was Divinely inspired and would ultimately, therefore, be successful, kept them together. At Lanark they renewed the Covenant with a zeal which the fact that Dalziel with his forces was only two miles away naturally intensified. The whole strength of Wallace's army was then about eleven hundred horse and foot.[2]

The long, wearisome march in foul weather reduced the unfortunate Covenanting army almost to despair, and by the time they got near Edinburgh they looked, we are told, "rather like dying men than soldiers going to

[1] Kirkton, *History*, p. 234: McCrie, *Memoirs of Veitch*, etc., p. 403: *Life of Robert Blair*, p. 506. Turner escaped when the defeat at Rullion Green scattered those who guarded him.

[2] Turner, *Memoirs*, p. 170.

conquer ". No one who had a spark of compassion in his heart would have failed, one would think, to pity " so many faint, weary, half-drowned, half-starved creatures betwixt their enemies behind and enemies before ".[1] The course taken by them from Lanark was direct northwards to Bathgate and thence in a semicircular sweep to Colinton, three miles from Edinburgh. Their opponents followed them closely by a similar line of route, ready to intercept and strike when a favourable opportunity offered. The insurgents lost many by desertion and received but few recruits, so that it seemed to many of them hopeless to continue the struggle. They made overtures to the Privy Council through General Dalziel in which they asked to be allowed to petition for redress of the "intolerable insolencies of the prelates and their insupportable oppressions."[2] It is doubtful whether they received a reply to their request, but in a letter from Sharp to Dalziel the statement is made that all that they could expect was that on laying down their arms they might be allowed to petition for mercy. In the absence of Rothes, the Royal Commissioner, the Archbishop as President of the Privy Council was the most prominent official in the country and took the lead in dealing with this matter. The concluding words of his letter must have been written by him in some other capacity than that of a minister of Christ. " We are glad ", he said, " to hear your excellency hath now engaged the rebels, we hope in a short time to have an account of them which shall be welcome news to your humble servant. "[3] He had not long to wait. The eight or nine hundred miserable insurgents now resolved to cross the east end of the Pentlands and to get down into Teviotdale, in the hope probably of dispersing, or at any rate of getting back into the midst of a friendly population.[4] But before they could accomplish this

[1] Kirkton, *History*, p. 240.
[2] McCrie, *Memoirs of Veitch*, p. 414.
[3] Wodrow, *History* vol. II, p. 30.
[4] *Lauderdale Papers*, vol. I, p. 250: Kirkton, *History*, p. 242.

Dalziel marched across from Currie and intercepted them at Rullion Green. His forces amounted to about two thousand infantry and six hundred cavalry, outnumbering those of Wallace by at least three to one.[1] The insurgent commander skilfully arranged and employed his wearied, ill-armed, but desperate soldiers, and for a time victory seemed to tremble in the balance. In a report of the battle sent to the Government we are told: "the army say they never saw men fight more gallantly than the rebels, nor endure more; the general was forced to use stratagem to defeat them."[2] It is pathetic to read that the Covenanters, just before the engagement began, sang the 74th Psalm, that cry of mingled boldness and humility, faith and anguish, in which the Church on the brink of despair cries to God, who seems to stand with face averted and arm inactive.

"O God, why hast thou cast us off?
Is it for ever more?
Against thy pasture-sheep why doth
Thine anger smoke so sore?

. . . . .

Thy hand, even Thy right hand of might,
Why dost Thou thus draw back?
O from Thy bosom pluck it out,
For our deliverance' sake."[3]

The battle began in the afternoon of the brief winter day (Nov. 28th) and before the darkness closed in the ill-advised, hap-hazard enterprise had been quenched in blood. Fifty of the insurgents lay dead upon the field and eighty were prisoners, while of the Royal army only five or six were slain.[4] It is a remarkable fact that public feeling in the East of Scotland differed very considerably from that in the West and South. Thus the country

[1] McCrie, *Memoirs of Veitch*, etc., p. 417: Law, *Memorials*, p. 16.
[2] *Cal S. P. Dom.* 1666-7. p. 301. A minute account of the engagement is given in Terry's *Pentland Rising and Rullion Green* (1905). See also article by Miss M. Sidgwick in *Scottish Hist. Review*, for July 1906.
[3] Ker, *The Psalms in History and Biography*, p. 102.
[4] McCrie, *Memoirs of Veitch*, etc., p. 429.

people showed themselves almost as merciless to the fugitives from Rullion Green as were Dalziel's dragoons and spoke of them as if they had been not only rebels but foreigners. Wallace in his narrative of the rising in which he played so prominent a part says of the dead on the battle-field that they were stripped of their clothes "by the soldiers and barbarians of Lothian as if the victory had been gotten over Turks." One is glad to know, however, that some were courageous enough to show sympathy with the defeated cause and that devout women came out from Edinburgh with winding-sheets and buried the dead.[1] It deserves also to be mentioned that Wishart, Bishop of Edinburgh, who had once been himself a prisoner in that city, had some compassion upon those now in like case and sent provisions daily from his table to them[2]—an act of kindness which should never be forgotten. It is striking that the Psalm which the Covenanters sang is one which does not finish but breaks off abruptly and is, as it were 'taken up into the swelling din of a prolonged battle.' And so the very utterance which seems so despairing suggests that the end is not yet, and that as the campaign is still on foot a check must not be counted as defeat.

During the insurrection Sharp was in an agony of terror. He wrote to London entreating that troops from the north of England might be despatched into Scotland as, he said, rebels were on every hand and he did not know what the King's forces were doing. He also proposed that the Privy Council should take refuge in Edinburgh Castle.[3] This panic-stricken fear, which was not confined to him, though he felt it most intensely, explains the ferocity with which those who

[1] McCrie, *Memoirs of Veitch*, etc., p. 428: Wodrow, *History*, vol. II, p. 35: Thomson, *Martyr Graves of Scotland*, p. 25: Kirkton, *History*, p. 246. It is deplorable that some of the dead were exhumed for the sake of robbing them of their shrouds. The terms of devout resignation in which the defeat is described in *Naphtali*, p. 217, are very touching.

[2] Burnet, *History of My Own Times*, vol. I, p. 236.

[3] *Lauderdale Papers*, vol. I, p. 260: Burnet, *History of My Own Times*, vol. I, p. 234.

were concerned in the rising were punished. The law was strained to allow a number of those who had surrendered to quarter to be hung, torture was applied to discover whether the rising were premeditated or not, and Dalziel was sent into the country where it began, in order that he might terrorize the population by methods similar to those which Louis XIV afterwards used for the extirpation of Protestantism in France.[1] Nor was the fear which animated Sharp and his confederates altogether without foundation. Many who had no sympathy with the Westland whigs in matters of religion resented the great political power which lay in the hands of the Bishops, while others were repelled by the oppressiveness of their rule. Indeed a popular movement directed against them might easily have succeeded. Indeed had the insurgents gone to work in a systematic way or chosen a more opportune time for rising they might have swept their opponents before them. Both Rothes and Dalziel who were well qualified to form a judgement upon the matter in question, were of this opinion. Thus the Royal Commissioner with a coarseness which his extraordinary spelling seems to intensify in writing to Lauderdale speaks of "thes damd ffulls who hes antisipat ther taym of raysing"; while his military colleague also declares that the rebellion would have been much more terrible if it had not been premature. The latter says that none ever sought after martyrdom with more eagerness than these "rogues" to carry their plot or die, and that many of the women upbraided their husbands and sons for surviving the battle.[2]

An indication of Sharp's state of mind at this crisis is given in his relations with the Earl of Argyll. The latter had raised fifteen hundred men and wrote to the Privy Council saying that he was ready to march as soon as he received orders from them. No order was sent to

[1] Wodrow, *History*, vol. II, pp. 38, 62.
[2] *Lauderdale Papers*, vol. I, p. 266.

him, as Sharp was convinced that if he came upon the scene either he or his men would join the rebels.[1] The grounds on which the Archbishop's opinion rested are not apparent. For although Argyll as an adherent of Lauderdale cannot be credited with having any zeal for Episcopacy which the latter's rival, Middleton, had had so large a share in establishing in Scotland, it is quite erroneous to speak of him as having been at any time in his career a champion of the Covenant. His connexion with the Covenant, indeed, was but slight, and recently he had acquiesced without a murmur in the repudiation of it which the Government had ordered as a condition of public employment. He distinctly objected to being classed as a Presbyterian in contradistinction to those who were supporters of the existing ecclesiastical system. To his surprise Sharp on an occasion a few months later than this thanked him for "carrying himself to Bishops like a gentleman, though he was a presbyterian". His reply was to the effect that he had been for a while brought up under the Presbyterian system, but that his opinions had been modified by his experience of life in other countries where Church Government was not regarded as a matter of so much importance as many in Scotland thought it to be.[2] It is of course possible that if Argyll's influence had been thrown into the scale the negotiations with the insurgents might have taken a different turn, and by permission being given them to petition the King for redress of their grievances bloodshed might have been avoided.

That no reasonable ground for Sharp's fear or suspicion seems to have existed is evident from the energy with which Argyll threw himself into the task of hindering the rebellion from spreading into his own territories. Thus in a letter to Lauderdale written (Dec. 3rd, 1666), from his yacht at Tarbert in Kintyre he says that though

[1] *Lauderdale Papers*, vol. I, p. 247: Burnet, *History of My Own Times*, vol. I, p. 234.
[2] *Letters of the Earl of Argyll*, p. 6 .

he had not had the honour of enduring blows for His Majesty's service he had been almost killed with toil and bad weather. He reports that he had summoned a levy of the most capable and the best armed men of the shire to assemble at Tarbert, in view of the fact that Kintyre was a district in which active sympathy with the rebellion was to be feared on account of the strong Lowland and Covenanting element in the population there; but he found that although many doubtless wished the insurrection success none could be proved to be accessory to it. While the rebellion was still on foot he kept all suspected persons under strict surveillance and garrisoned both Sadell and Skipness in order to keep a firm hold of the country; but the danger soon passed away, and he was able to dismiss his forces. He comments upon the fact that while he and other Sheriffs of counties had been ordered by the Privy Council to aid in putting down the rebellion some hand had intercepted the summons to him.[1]

He was eager to render the service of capturing Lieu.-Colonel Wallace whose ability and force of character rendered him a formidable enemy of the Government, but his efforts were in vain. Immediately after the defeat of Rullion Green the rebel commander made his escape into the west country and thence into Ireland. He had a son, William, who was a tenant of Argyll's in Kintyre. This young man had been away from home during the rebellion, but he was able to account for all his movements and to clear himself from the charge of having taken part in it. Argyll suggested his being apprehended but the Royal Commissioner sent him word to appear in Edinburgh, and clear himself of suspicion. When he reached Glasgow on his way to the capital he was told that, however innocent he might be of the charge of treason, it was likely that he would be tortured by the boot in order that some information might be extracted from him, and accordingly, though he had

[1] *Letters of the Earl of Argyll*, p. 39.

abundant proof of an *alibi*, he absconded. He made his way back to Kintyre where he stayed but for a night in hiding and thence passed over into Ireland. Argyll was deeply mortified at this turn of events, and concocted a plan for capturing both the father and the son who were now no doubt together. A messenger was despatched into Kintyre to suggest to the younger Wallace's wife that her husband's peace with the Government was likely to be made. As it was probable that she would send word of this to him it was proposed that her messenger's steps should be dogged, and in this way the haunt of the fugitives discovered. The services of Irish Justices of the Peace could easily be secured by a letter from the Royal Commissioner and the delinquents handed over to the authorities in Scotland. The scheme however, proved abortive. Lieu.-Colonel Wallace escaped to the Continent, and resided for the most part in Holland, in spite of repeated demands from the English Government for his expulsion from Dutch territory. He was an elder in the Scotch Church at Rotterdam for several years before his death in 1678. The proceedings against his son seem to have been carried no further after the alarm caused by the Pentland Rising had died down.[1]

At the time immediately before the Pentland Rising Sharp's power in Scotland was at its height. An informal but effective alliance had existed between the two Archbishops on the one hand and the Royal Commissioner together with various members of the impoverished aristocracy on the other, in which the bigotry of the prelates was seconded by the greed of nobles who hoped to get a share of the fines and forfeitures imposed upon the recusants.[2] Lauderdale disapproved of this oppressive policy but for a time he was kept in check by the fact of the support which was afforded the Archbishops by the

[1] *Letters of the Earl of Argyll*, pp. 41, 47, 77: McCrie, *Memoirs of Veitch*, etc., p. 376: *Lauderdale Papers*, vol. I, p. 261.
[2] *Lauderdale Papers*, vol. I, p. XII.

English Cavalier party. In the meantime the more moderate politicians in Scotland, among whom were the Earls of Argyll, Tweeddale and Kincardine, who were regarded as Lauderdale's chief supporters, were nicknamed by Sharp as "Presbyterians", and considered by him as friends and favourers of the enemies of the Church, because they looked coldly upon the violent measures which were adopted towards the disaffected section of the population. [1] But a twofold humiliation fell upon the dominant faction: the insurrection in Scotland discredited their government of the country, while the disgrace and fall of Clarendon weakened their position at Court. It was in vain that Sharp and his associates maintained that the insurrection had been a deliberately planned outbreak for which they could not be held as responsible. They failed to secure evidence in proof of their averment, and they were left under the odium of having quenched in blood an insurrection which had been due solely to the misery caused by their own cruel and arbitrary proceedings. [2]

The person upon whom the principal share of the obloquy fell was Archbishop Sharp. As one of Lauderdale's confidential correspondents remarks of him at this time "the general animosity against him was incredibly great," [3] and when to this was added the unpopularity of the cause he represented and the unsleeping jealousy of rival politicians, we can easily believe that he could render no service to the Crown which might make it worth while to support him against his opponents. The result of matters was that he was removed from his place in the Court of Exchequer and was subjected to various other affronts from those in power, which he received with an abjectness as great as his former insolence had been. [4]

[1] *Letters of the Earl of Argyll*, pp. 62, 68: Wodrow, *History*, vol. II, p. 82: Burnet, *History of My Own Times*, vol. I, p. 239.

[2] Wodrow, *History*, vol. II, p. 53: *Letters of the Earl of Argyll*, p. 60.

[3] *Lauderdale Papers*, vol. I, p. 253.

[4] Burnet, *History of My Own Times*, vol. I, p. 239: *Lauderdale Papers*, vol. I, p. 269: *Life of Robert Blair*, p. 507.

For a time he was by royal command compelled to remain within his diocese, while Burnet, the Archbishop of Glasgow, whose day of humiliation was yet to come looked after the interests of the Church party.[1] But after a time Sharp who was useful as a tool for the management of the other prelates[2] was restored to some measure of his former power. After having been "strangely cast down, yea, lower than the dust," he experienced what he himself described as "a resurrection from the dead" by receiving two or three lines of approval from the King, which the latter had been recommended to write because of the revivifying power they would probably exert.[3] When Captain Gulliver, forty-one years later, visited Luggnagg, he sent word to the King desiring that His Majesty would please to appoint a day and hour, when it would be his gracious pleasure that the traveller might have the honour to lick the dust before his footstool.[4] Those who are interested in seeing the ceremony in question effectively observed are referred to the letter in which Sharp performs it both for the King and for Lauderdale himself.[5]

When the latter's hands were free to deal with matters in Scotland, he made short work of the alliance between Sharp and the impecunious nobles which had led Scotland to the verge of rebellion, and which had been a menace to his authority. Rothes was forced to resign his posts as Treasurer and Royal Commissioner, and to accept the office of Lord Chancellor which had been vacant since the death of Glencairn (May, 1664).[6] He was too powerful and stood too high in the King's favour to be treated as Middleton had been, but it was thought that in the position of Lord Chancellor he would do less harm than in those which he had formerly held. The Treasury was

[1] Burnet, *History of My Own Times*, vol. I, p. 240.
[2] *Lauderdale Papers*, Vol. II, p. 71.
[3] *Ibid*, vol. II, pp. 84, 90, 93, XIV.
[4] *Travels*, II, chap. IX.
[5] *Lauderdale Papers*, vol. II, p. 93.
[6] *Ibid*, vol. II, p. 16.

placed in commission and the office of Royal Commissioner left vacant for the present. The army, with the exception of the King's Life Guards and two or three foot companies, was disbanded, while an Act of Indemnity of a fairly reasonable character, all things being considered, was passed. Those who had been excepted by proclamation were outside the benefit of this Act, and they were for the most part persons of property, but the past offences of the rank and file of the insurgents were condoned on their finding security of good behaviour or on their entering into a bond to keep the peace. In every case an unconditional promise never again to take up arms against the King was exacted, but less than this could scarcely have been expected.[1] The upshot of matters was that for a short time at any rate something like quiet and orderly government was restored to Scotland, though the country was in extreme poverty. Even Sharp found that the new order of things in public life was not without its compensations. He confided to Burnet, the historian, that it was a great happiness to have to deal with sober and serious men, "for Lord Rothes and his crew," he said, "were perpetually drunk."[2] One is inclined to wonder for how much longer time the alliance between the Bishops and this troop of bacchanals would have lasted if Lauderdale had not dissolved it.

In the various letters still extant both in print and in manuscript which Argyll wrote about this time[3] we get glimpses into his life, which seem to show that he now, probably for the first time since he had had to do with public affairs, enjoyed a measure of peace and quietness. The period, however, was but short and was broken by the shock of bereavement. We read of him at this time as interesting himself in beautifying the grounds about the castle at Inveraray, enclosing gardens, planting trees

[1] Kirkton, *History*, p. 244 : Wodrow, *History*, vol. II, p. 89.
[2] *History of My Own Times*, vol. I, p. 243.
[3] See *Letters from the Earl of Argyll* and the collection of his letters in the British Museum.

and laying out walks. He took great pains to secure the best possible seeds and saplings, and in carrying out his schemes he had the advice and assistance of John Evelyn, who was one of the greatest experts of his generation in the matter of horticulture and forestry. In addition to fruit-trees the Earl planted large numbers of laburnums, planes, firs, oaks, and elms. The last named of these was an especial favourite with him and he was delighted to find that it took very kindly to the soil and climate of Inveraray. The general design which he had in his mind was to have none but fruit-bearing trees within walls, except where hedges might be required, and to plant ornamental trees outside the enclosed gardens so luxuriantly that the house would have the appearance of rising out of the midst of a wood. [1] Our readers will remember that the house in which the Earl lived was pulled down about the middle of the 18th Century, when the present castle was erected upon a site within a few yards of that of the ancient building.

Among the matters engaging his attention at this time was the preparation of salt herrings and the distillation of *aqua vitæ*, specimens of both of which we frequently hear of as having been sent to his friend the Earl of Lauderdale and to the King, by whom they were highly valued. On one occasion Argyll sent honey from his own bee-hives along with the spirits in order that Lauderdale might enjoy the compound now known as "Athol Brose." He received advice from various quarters as to the best way of supplying the London market with these articles, but apparently the difficulty of transport rendered it impossible for any undertaking of the kind on a large scale to be carried through. [2]

In a series of letters to Lauderdale, which belong to this period, there are many indications that a happy home life at Inveraray compensated to some extent for those anxieties and troubles of which Argyll had had so large

[1] *Letters of the Earl of Argyll*, p. 80.
[2] *Ibid*, passim : *Hist. MSS. Com.* VI, p. 622.

an experience. He frequently mentions his children and occasionally, after the manner of fond parents, records their witty utterances. One of his sons whose sayings are oftenest quoted is John, who was called after the Earl of Lauderdale. In a childish letter to the veteran statesman the boy tells of the "brewing of aquavitie" and of the fattening of cows and swine in preparation for his god-father's coming, and he closes by saying "dear swit lord [god-] father remember my new yir's gift".[1] An amusing story, told in another letter of the two little girls who were afterwards the Countess of Lauderdale and the Marchioness of Lothian, gives us information of the impression produced upon the inhabitants of the Argyll nursery by the royal clemency to their father. "The children," says Argyll to Lauderdale, "are taught morning and evening to say the Lord's prayer and pray God to bless their relations by name, of whom you are oftest first with them. Nanie one day mist the king: 'endeed', says 'Jeanie,' it is not your commone to forgete the king; if it had not beene for him, you and I had been hussies'".[2]

[1] *Letters of the Earl of Argyll*, p. 36.

[2] *Ibid*, p. 35. The children of the 9th Earl of Argyll and of Lady Mary Stewart were as follows :—

1. *Margaret*, b. 1654 (baptized June 27th), d. in infancy.
2. *Mary*, b. 1657 (baptized July 17th), d. in infancy.
3. *Archibald*, b. 1658 (baptized July 25th), d. 1703 : 1st. Duke of Argyll, m. Elizabeth, daughter of Sir Lionel Tollemache, step-daughter of 1st. Duke of Lauderdale.
4. *Anne*, b. 1659 (?) m. (1) Richard, 4th Earl of Lauderdale, July 1st. 1678, (2) Charles, 7th Earl of Moray, d. Dec. 25th, 1734.
5. *John* of Mamore, father of John, 4th Duke of Argyll.
6. *Jean*, b. 1661, m. William, 2nd Marquess of Lothian.
7. *Colin*, d. in infancy.
8. *Charles*, m. 1678 (?) Sophia, 2nd daughter of Alexander Lindsay, 1st Earl of Balcarres, and step-daughter of the 9th Earl of Argyll : M. P. for Campbeltown from its erection as a royal burgh down to the Union.
9. *James*, of Burnbank and Boquhan : the "Hon. Col. James Campbell" of whom much is told in the *Argyll Papers* : M. P. for Renfrew 1699-1702 and for the Ayr Burghs 1708-1710 : m. Margaret, 3rd daughter of David Leslie, 1st. Lord Newark, d. 1713.
10. *Isabella*, mentioned in a letter as dying to Lauderdale, March 1669 (*Brit. Mus. Add. MSS.* 23,131 : fo. 118).
11, 12. *Twin-daughters*, b. June 1667 : d. soon afterwards (*Letters of the Earl of Argyll*, p. 81.

In the summer of 1667 the family of the Earl had been increased by the birth of twin girls. In a letter of June 10th he tells his correspondent of this event, and he remarks half-seriously that, unless peace were to come and the very heavy war-tax or cess taken away, there would be little chance of their having "tochers" [dowries]. The difficulty in question, however, did not arise, for the poor little things died when but a few weeks old.[1]

In the following year the Earl became a widower. In a letter to Lauderdale he tells the circumstances of his wife's death with a fulness of detail which indicates the intimacy of the friendship which had existed between them—an intimacy which was soon to pass away. The Countess died in child-birth and it added to the grief of her husband that he was absent from home at the time. On May 27th he had gone to Dunoon to make some arrangements about the militia and had intended to return home the following day. It so happened that he might have returned home on the same day as that on which he had set out, but he waited for a letter which did not reach him until late in the afternoon, and so he crossed over to Rosneath where his mother resided and spent the night there. On his journey back the next day he met three messengers from Inveraray at different places on the road. The first informed him that his wife's pains had come upon her at two o'clock that morning; the second gave later news of an ominous character; while the third who met him three miles from home told him that she was dead. A doctor and a surgeon, Dr. Cunningham and Mr. Borthwick, had already been summoned from Edinburgh, but all was over before they arrived. The body was enclosed in a lead coffin and sent to lie in the choir of the church of Dunoon, and a few days later it was interred in the family burial-place at Kilmun. The earl remarks upon the general grief manifested throughout the countryside

[1] *Letters of the Earl of Argyll*, p. 81.

at his wife's death. "Wher ever," he says, "my misfortoune was heard, the people rune and lay all night in the feilds to meete the buriall. Never any deed heere was more regrated. I had prepared to carry the body on horses but the gentlemen of the country would not suffer [it]. They did it on ther shoulders and went the 18 miles without rub or accident in 8 or ten houres time." The terms in which the bereaved husband tells of his loss are very vivid and pathetic. "I need not tell you," he says to his correspondent, "what ane excellent persone shee was, nor what a comforter to me in all my troubles, a suporter of my spirite, a discreete adviser, a pleasant yokfellow of my sufferings, without repining or grudging, and never troublesome, and in all changes of fortune of ane equall spirite and wise, and a serious, diligent, constant seeker of God, and whatever she was she hath of late enproven [improved] exceedingly in every bodys opinion as well as mine." From one specimen of her affectionate counsel, which was perhaps more valued in the retrospect than it had been at the time, we may conclude that in the piety of the deceased Countess there was a tinge of that anxious, Puritanical asceticism, which is so closely akin to that which in other religious communities has peopled monasteries and convents. "Her advice to me," says her husband, "was to be more diligent in private dutyes and to spend lesse time on the bussiness as well as the vanities of the world." Such had been her words to him only a few days before her death, and in the solemn hour when the shadow of loss was deepest and the claims of eternity seemed to be set in the balance over against the employments of time he confessed his conviction not only that the counsel was of the best but also that he stood in deep need of it. With a simplicity of heart, which reminds us of that of his father in seeking on one occasion to touch the conscience of Charles II,[1] he commended to

[1] *The Great Marquess*, p. 262.

Lauderdale the warning against absorption in the world's business and pleasures. "Your Lordship's temptations of this kinde," he said, "are farre greater then [than] mine: I pray God you may never have the cause to repent which I have"[1]

[1] Brit. Mus. *Add. MSS.*, 23129: f. 138.

CHAPTER IX.

Attempt to assassinate Sharp—1st. Act of Indulgence—Protest against it by Episcopalians—Meeting of Scotch Parliament—Lauderdale Royal Commissioner—His strangely mixed character—Supremacy of the King in ecclesiastical affairs asserted—Proposal for union with England—Argyll's second marriage—Lauderdale's displeasure at it.

Though no change was made in the legislative enactments which oppressed the Presbyterian party in Scotland, the executive Government was for a time less rigorous in applying them than it had been. The widespread complaints against the illegal and cruel proceedings of Sir James Turner and of Sir William Ballantyne, another military agent of an even more repulsive type than Turner, were duly enquired into, with the result that Turner was dismissed from the King's service and Ballantyne banished from the country.[1] In some districts the curates who had no longer military protection abandoned their livings, and a large number of the "outed ministers" resumed their sacred functions and conducted religious services in private houses and barns. In consequence of this the need for conventicles in the open air became less and they were more seldom held.[2] Some prosecutions of those whom the law forbade to preach or to dispense the sacraments occurred, but they were not numerous and the punishments were lighter than they

[1] Wodrow, *History*, vol. II, p. 104: Kirkton, *History*, p. 270: *Lauderdale Papers*, vol. II, p. 116.
[2] *Ibid*, pp. 103, 116: Wodrow, *History*, vol. II, p. 109.

had been in such cases. Both in England and Scotland it seemed likely that a measure of comprehension, or at any rate of toleration, would be arranged to put an end to some of the evils by which Nonconformists had been distressed. [1]

So far as Scotland was concerned the matter received a serious check by the attempt of a half-crazy fanatic, named James Mitchell, to murder Archbishop Sharp. This fellow had been concerned in the Pentland Rising and had been named in proclamations as one of those specially guilty of treasonable conduct. On Saturday, July 11th, 1668, he walked up to the coach of the Archbishop and fired a pistol in at the door. Sharp was uninjured, but Honeyman, Bishop of Orkney, who was just entering the vehicle, was wounded in the wrist. Though it was broad daylight and on the High Street no one attempted to seize the assassin. The cry was raised that a man had been killed, but some one replied that it was only a Bishop, and nothing further was done at the moment. A bystander tried to stop Mitchell as he dived into one of the closes that lead down from the High Street, but he fell back on seeing a pistol in his hand. The would-be assassin hastened home, and after making some slight change in his dress, came out again and mingled with the city crowd without being identified. [2] Great efforts were made to discover the author of this daring crime, but all were in vain, and it was not until ten years later that Sharp accidentally caught sight of him and recognized him as the man who had attempted his life. The whole story is tragical in a high degree. The dread of being murdered hung over the Archbishop night and day and hardened a temper that was naturally by no means mild; while the deliberate and callous injustice with which this Mitchell was treated when

[1] Kirkton, *History*, p. 268 : Burnet, *History of My Own Times*, vol. I, p. 273 : *Reliquiae Baxterianae*, part II, p. 22 : *Life of Robert Blair*, p. 523.

[2] Wodrow, *History*, vol. II, p. 115 : Kirkton, *History*, p. 277 : Burnet, *History of My Own Times*, vol. I, p. 277 : *Lauderdale Papers*, vol. II, p. 109.

his guilt came to light, greatly embittered public feeling, and was one of the grounds on which those who murdered Sharp attempted to vindicate their action. Perhaps hostile critics of the Archbishop's career have not made sufficient allowance for the mental and moral deterioration which may so easily result from living for years under the fear of being murdered. Yet surely we may commiserate the lot of one who had this heavy load added to the weight of obloquy which his public actions had drawn down upon him.

On June 7th, 1669, a letter was written by Charles II which the Earl of Tweeddale brought down to Scotland, offering a certain measure of Indulgence to those Presbyterian ministers who had been driven out of their charges seven years before. It provided that all of them who had lived in a peaceful and orderly manner might be restored by patrons to their churches, if vacant, or might be presented to other vacant charges, and on accepting collation from bishops be counted as possessing the same status as those who had conformed to Episcopacy on its introduction in 1661. Even those who refused to accept collation were to be allowed to officiate within the bounds of parishes to which they might be appointed, and to occupy the manse and glebe and receive a certain yearly allowance. So comprehensive was the Indulgence that it provided also for those whose past could not be called peaceable and orderly; for on giving assurance with regard to the future they were to be allowed the same yearly sum. Certain rules of no unreasonable character were laid down for the acceptance of those who were thus indulged.[1] This measure was undoubtedly an attempt to redress the evils produced by the harsh and unjust Act of Council which had been carried by Middleton in 1662, and it would have been well for the peace of the country and for the interests of religion if it had been fully accepted by those aggrieved. As it was, over forty

[1] Wodrow, *History*, vol. II, p. 130 : Kirkton, *History*, p. 288.

ministers, among whom was the Robert Douglas already mentioned as a prominent Resolutioner at the time of the Restoration, came in and got the benefit of the Indulgence. Six of these were settled in churches in Argyllshire of which the Earl was the patron. [1] It seems, however, doubtful whether the arrangements for yearly allowances to those not accepting collation were attended to, or were indeed practicable.

The motives of the Government in bringing in this Act of Indulgence were no doubt of a mixed character. If we credit those who were in power with a desire to remedy injustice, we are probably doing them no wrong in believing that they also anticipated dividing the ranks of their opponents and being better able to deal with conventicles. Provision having been made or offered in the case of every "outed" minister who was willing to live peaceably in time to come, none could have any excuse for officiating without authority or for holding separatist meetings. Those who were not inclined to live peaceably were of course not entitled to any consideration. Had all those now living who had been injuriously affected by the Act of 1662 accepted the royal offer, it would, as we have said, have been much better for the country at large and for the spiritual interests of the people. But unfortunately there were many irreconcilables. [2] The cruelty and folly of the Act complained of, and the ill-treatment and brutality with which for years attempts had been made to enforce it, had embittered public feeling to a very high degree, and matters were not allayed by what seems to us so surprising a reversal of public policy. Those who refused the Indulgence were deeply exasperated with those who accepted it and nicknamed them "the King's" or "the Council's Curates" as distinguished from "the Bishops' Curates," i. e. the Episcopalian ministers who were located in charges from which Presbyterians had been ejected. As was inevitable, we suppose,

[1] *Lauderdale Papers*, vol. II. p. 192 : *Life of Robert Blair*, p. 526.
[2] *Ibid*, p. 524.

in the circumstances, it took a little time for the congregations to which persons who accepted the Indulgence ministered, to acquire interest in the doctrinal and practical parts of religious teaching, which now took the place of "preaching to the times," or criticizing the actions of the Government—a kind of homiletical exercise with which they had been very familiar for the past seven or eight years at least. [1]

But a strong opposition to the arrangements prescribed in the royal letter suddenly arose in an unexpected quarter. The letter in question set aside the laws under which the Church had been established, and it diminished and to a large extent ignored the authority of the Bishops and made the whole ecclesiastical system dependent upon the Crown. This was pure Erastianism—that system so dear to the legal mind with its serious limitations and to the politician of the smug and insolent type, but so hateful to all those who have any perception of the true nature of the Church. Some of the Presbyterian divines in accepting the Indulgence endeavoured to preserve their principles by describing it as merely giving liberty to exercise a ministry received from Christ, for the discharge of which they were responsible to Him, but there can be no doubt that while this procedure may have eased their consciences, it did not change an ugly fact. [2] The remonstrances of extreme Presbyterians against the compromise of principle involved in accepting the Indulgence found a very distinct echo in the Synod of Glasgow, where Archbishop Burnet and his colleagues formally drew up a protest against the Indulgence and against the Episcopal authority being set at nought by it and by the Privy Council in carrying out its provisions. [3] The grounds upon which the *Remonstrance*, as it was called, was based, were certainly definite enough, as ministers were reinstated in their charges who were under ecclesiastical censure,

[1] Burnet, *History of My Own Times*, vol. I, p. 282.
[2] *Lauderdale Papers*, vol. II, p. 193.
[3] Wodrow, *History*, vol. II, p. 131.

without being formally freed from disability by the constituted authorities.

The indignation produced by the action of the Archbishop of Glasgow was profound. The Privy Council declared that the subject matter of the document in question was of " dangerous nature and consequence ", and that the form of it was most illegal and unwarrantable ; while Charles II averred that it was as seditious as anything that had been published by the Western Whigs, and he gave orders that the author of it should be suspended from his Parliamentary duties and prosecuted according to law. [1] The upshot of matters was that Burnet was informed by Lauderdale, who came down to Scotland as Royal Commissioner to preside in Parliament, that it was the King's wish that he should give up the Archbishopric. He received the intimation of the royal pleasure on his knees and immediately resigned his post. [2] For four years " he lived in the shade "—to use a phrase employed concerning him by his namesake, the historian, —and then was restored to the Archbishopric, " a sadder and a wiser man. " In the meantime the office was held *in commendam* by Robert Leighton, Bishop of Dunblane. [3]

At the close of the year 1669 the Scotch Parliament assembled and Lauderdale presided, as we have said, as Royal Commissioner. He was met at Berwick by a large company of the nobility, and it was noticed that the Earl of Argyll was most prominent among them in welcoming him, and was regarded by many as a prime favourite with him. [4] It is probable, however, that as for several reasons Argyll was in danger of losing ground in the favour of that influential personage, he thought it necessary to take more than usual trouble in paying him

[1] Burnet, *History of My Own Times*, vol. I, pp. 283, 286 : Law, *Memorialls*, p. 20.

[2] *Lauderdale Papers*, vol. II, p. 175 : *Life of Robert Blair*, p. 529.

[3] Wodrow, *History*, vol. II, p. 144. Holding a benefice *in commendam* meant holding it till a proper pastor was provided for it. It was provisionally commended to the care of a clerk.

[4] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 141.

the honours customarily rendered to the representative of the Sovereign. Some faint indication of a change in the friendly relations in which they had stood to each other was contained, we think, in the letter from which we have already quoted, in which Argyll warns his correspondent against undue absorption in the world's business and pleasures. Information which we have from other quarters makes it certain that under this last phrase lies an allusion to grave moral offences of which Lauderdale was reputed to be guilty. For this statesman had grievously fallen from the promise of his early days, and, as we have seen, was not ashamed to strengthen his position at Court by an alliance with Lady Castlemaine, and by being a boon companion of Charles II in his degraded pleasures. That there is a certain dualism in human nature—a will which delights in the law of God and carnal impulses which hinder the performance of that which is good—is a phenomenon which has attracted the attention of moralists, both Christian and pagan,[1] and in our own time it has been strikingly described in a parable which will, we think, be forever famous. Scarcely any other life of a public man known to us illustrates more perfectly the state of matters described in Stevenson's *Strange Case of Dr. Jekyll and Mr. Hyde* than does that of the Earl of Lauderdale. It is not simply that "the good Maitland", "the youth of noble carriage", as Baillie describes him,[2] the commissioner to the Westminster Assembly, the pride and hope of the saintly party, was transformed into the coarsest and most repulsive figure in Charles II's court, "swollen with

[1] The classical passage in Christian literature is of course *Rom.* VII; to which we find a very striking parallel in Epictetus, II, chap. 26. Plato compares the soul to a chariot drawn by two horses, one of which takes an upward direction and the other a downward (*Phædrus*, 246A-257A). Plautus says: *Sciebam ut esse me deceret, facere non quidam miser* (*Trin*, III, 2, 31). Ovid describes the same divergence and struggle in the words, *Aliudque cupido, mens aliud suadet: video meliora proboque, deteriora sequor* (*Met.* VII, 19): and Seneca in like manner makes one of his characters say, *Vos testor omnes cœlites, hoc quod volo, me nolle* (*Hippol.* 604.)

[2] *Letters*, vol. II, p. 106.

The Duke of Lauderdale.

gluttony and brutalized with vice", but that to the end of his life he was a student of theological literature, and had an unbounded admiration for the writings and character of the saintly Richard Baxter—an admiration which to his credit was undiminished by the solemn and affecting letter of rebuke which that divine wrote on one occasion to him.[1]

On Lauderdale's present journey into Scotland he offered Baxter any post in that country which he would care to accept—the incumbency of a parish, the principalship of a college, or a bishopric. This last named office was no doubt spoken of in view of the anticipated vacancy in Glasgow by the removal of Burnet, which would likely necessitate some re-arrangement of the Scotch bishoprics. Lauderdale's plan was most probably to persuade Leighton to accept the archbishopric of Glasgow and to settle Baxter in Dunblane. Baxter declined the offer on the ground of ill-health, of literary undertakings which demanded a large part of his time and attention, and of the vast trouble involved in removing his household to so great a distance. That he would have found reason to dissent from much in Lauderdale's policy in Scotland is indubitable, for in the very passage in which he gives us the above particulars he speaks with disapproval of the Act passed against conventicles; but it is probable that the ecclesiastical history of Scotland might have been perceptibly modified had that eminently reasonable as well as devout man accepted the Royal Commissioner's proposal and made due use of the influence with him which he undoubtedly possessed.[2]

For some little time past Lauderdale had come under the influence of the woman whom he afterwards married as his second wife. This was Elizabeth Moray, widow of Sir Lionel Tollemache, who called herself Countess of Dysart. Her father, William Moray, had been page

[1] *Lauderdale Papers*, vol. III, p. 235.
[2] *Reliquiæ Baxterianæ*, part III, p. 75.

and whipping-boy to Charles I, and had received a warrant of earldom from that monarch which from want of passing the great seal in his lifetime had virtually lapsed. Elizabeth, the elder of his two daughters, was a woman of great beauty and ability, but she was ambitious, prodigal, unscrupulous and of utterly disregardful both of moral obligations and of conventional rules of propriety. She had been an old acquaintance of Lauderdale's and declared that when he was a prisoner after the Battle of Worcester she had persuaded Cromwell, with whom she was on terms of friendship, to spare his life. After the Restoration she thought that he had not been sufficiently grateful for the service rendered, and for some years they were alienated from each other; but on losing her husband she was reconciled to Lauderdale and came to exercise an irresistible influence over him. She was now a somewhat elderly Circe, who had had a family of eleven children. The Countess of Lauderdale, indignant at this intimacy, left her husband and for the last three years of her life resided in Paris, where she died in the end of 1671.[1] Six weeks after her death Lauderdale married the Countess of Dysart.[2] His submission to her humours and caprices greatly diminished his reputation as a politician and a public man. She interfered in matters of business, and by accepting bribes and selling offices of all kinds which were in her husband's gift, obtained means for satisfying her ravenous greed and for meeting her profuse expenditure. One after another of the friends and colleagues of Lauderdale came under her displeasure, and consequently lost favour with him, so that in no long time he was deprived of the co-operation of the more soberminded and trustworthy public men in Scotland. Among these latter is to be reckoned our Earl of Argyll, and our informant with regard to this matter places his name at the head of the list of those whose friendship Lauderdale was thus moved to

[1] Brodie, *Diary*, p. 323,
[2] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 217.

reject.[1] Yet even this folly did not shake his credit with Charles II, for he was zealous beyond all others in his desires and endeavours to promote his Sovereign's despotic schemes. Nowhere, indeed, could the King find a man more after his own heart than one who could write to him as Lauderdale did, "all your commands are to me above all human laws."[2]

On Tuesday, Oct. 19th, 1669, the Scotch Parliament was formally opened by the Earl of Lauderdale as Royal Commissioner, and at the ceremony of riding in state, usual on such occasions, Argyll carried the sceptre.[3] Both the Presbyterian and the Episcopalian party had looked forward with great eagerness to this Parliament, the former with some hopes of the restoration of their ecclesiastical polity, and the latter with some fears of the abolition of theirs.[4] But Lauderdale's opening speech made both of them realize that these hopes and fears were equally vain. The Act of Indulgence marked the limit of concession to the Presbyterians, and those who trembled for the safety of prelatical institutions were assured that, as long as Charles II wore the crown, they were under his protection. In the Royal Commissioner's speech some reference was made to the Divine right of Episcopacy, but either the speaker's confidence in this theory was weak, or his perception of what it implied was imperfect, for he proceeded to dwell upon the advantages of that system of Church government as being more consistent with Monarchy than its rival was. In leaving the theological for the political region Lauderdale felt doubtless as one who passes from a quaking morass to the solid rock.[5]

On the following Sunday, however, Sharp preached a remarkable sermon before the Royal Commissioner and the members of Parliament. In it he summoned up enough spirit to defend the rights of the Church and

[1] Burnet, *History of My Own Times*, vol, I, p. 244 : Kirkton, *History*, p. 315 n.
[2] *Lauderdale Papers*, vol. II, p. 141.
[3] Lamont, *Diary*, p. 267.
[4] Law, *Memorialls*, p. 20
[5] Lamont, *Diary*, p. 267 : Wodrow, *History*, vol. II, p. 136.

virtually to condemn the recent interference of the State in setting aside ecclesiastical censures, and thus he supported his colleague, Archbishop Burnet, who was now suspended for resisting the procedure in question. He openly declared that in ecclesiastical affairs there were three pretenders to supremacy, the Pope, the King and the General Assembly of the Presbyterians, all of whose claims he disallowed. [1] The Royal supremacy being thus openly challenged, Lauderdale carried through Parliament a statute declaring it to be a right of the Crown to settle all things relating to the government of the Church, and prescribing that everything concerning ecclesiastical meetings, matters and persons, was to be ordered according to directions which the King might send to the Privy Council and which should have the force of laws. [2] Some of those who were hostile to Episcopacy or who resented the political power exercised by Bishops, approved of the measure as humbling their pretensions, and others were induced to support it, as a final settlement of difficulties regarding the relations of Church and State which had for a long time past troubled the governing powers. [3] None of the Bishops who were present in Parliament ventured to oppose it, and even Sharp after his magniloquent protest voted for it. The Act in question made the government, ritual, and doctrine of the Church dependent on the mere will of the Sovereign—a highly embarrassing principle if he should happen to be a Roman Catholic—and imposed a yoke of bondage in many respects as offensive as that which had been thrown off at the Reformation. Timid and subservient prelates might acquiesce in the measure, bitter though it was to them, but the Presbyterian party regarded it as blasphemous, in as much as it infringed upon the prerogatives of Him who is the only Head of the Church. [4]

[1] Mackenzie, *Memoirs of the Affairs of Scotland*, pp. 159, 160: *Life of Robert Blair*, p. 527.
[2] *Acts. of Parl. of Scot.*, vol. VII, p. 554, App., p. 108.
[3] Burnet, *History of My Own Times*, vol. I, p. 284.
[4] *Life of Robert Blair*, p. 529.

One of the schemes which Charles II was desirous should be considered by this Parliament was the project of the union of the Parliaments of Scotland and England. His purpose evidently was to swamp the opposition in the English houses of Parliament by introducing members of a strongly Royalist type such as might be expected from a country in which his power was absolute. The matter figured prominently in the Royal Commissioner's opening speech and was afterwards discussed; but, though commissioners were nominated to consider the terms of union, the scheme fell into abeyance.[1] Thirty-seven years afterwards it was revived and carried into effect by Whig statesmen as a powerful means for securing the liberties of both countries. There is every reason to believe that Lauderdale himself was secretly opposed to the scheme, as it would have deprived him of the power which he wielded as Royal Commissioner. He cunningly concealed his distaste for the proposal, but he described in strong terms the unwillingness generally felt in Scotland against making any advances in the matter before knowing how the English Parliament regarded it, and what conditions they were likely to prescribe. In one of his letters he speaks of the Earl of Argyll and other Lords of the Articles as deprecating any undue pressure being put upon the Scotch Parliament, as they were certain that this would ruin the whole scheme.[2]

The fact that a plan of which the King himself seems to have been the most zealous promoter was impracticable in the then condition of public affairs both in Scotland and England, and was one to which he himself had an aversion, seems to have made Lauderdale more energetic in carrying through both the Act of Supremacy and a Militia Act. By the former, as he wrote triumphantly to Charles, the King was invested with sovereign authority in the Church and enjoyed larger powers than those possessed by him in England; and by the latter he was

[1] Kirkton, *History*, p. 304: Mackay, *Life of 1st Viscount Stair*, p. 89.
[2] *Lauderdale Papers*, vol. II, p. 156.

provided with an army of twenty thousand men, "who would march when and where he might be pleased to command."[1] These words menaced the opposition in England like those of Strafford in an earlier day when he spoke of an army in Ireland which might be used to crush rebellion elsewhere, and they brought Lauderdale afterwards into great danger. The King gave the letter to Sir Robert Moray, Lauderdale's friend, and after his death it fell into the hands of the Duke of Hamilton, a political opponent, who wished to found an impeachment upon it, and nothing but the resolute support given by Charles and the Duke of York to the statesman whose service to them had been so thorough and unscrupulous saved him from ruin.[2]

One of the Acts in the first session of this Parliament concerned Argyll very closely: it was that in which the reversal of his father's forfeiture was formally ratified. It did not pass without opposition both on the part of those supporting the interests of creditors on the property restored to the Earl, and of those who were his personal enemies and political rivals. But all opposition was overborne by Lauderdale. As our informant says: "The Commissioner did so violently own him in it, that no man durst speak without an interruption from the throne."[3] In a high-handed manner Lauderdale decided that the ratification was not to be voted upon, as it was a matter that concerned none but the Sovereign. The principle was one which would not bear examination, for in a deliberative assembly it ought surely to be always in the power of a member to offer opposition and to demand a vote. In this case Lauderdale's violence and the high favour in which he was known to stand with the King silenced opposition. He was pledged in honour, after having obtained from the King the reversal of the forfeiture, to carry the ratification of it through Parliament,

[1] *Lauderdale Papers*, vol. II, p. 164.
[2] *Ibid*, p. 164: Burnet, *History of My Own Times*, vol. I, p. 286.
[3] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 177.

and on the morning of the day (Dec. 23rd) on which the Act was brought in he swore that he would do so in the teeth of all opponents. Some asserted that he added that it was the last thing he would do for Argyll and thus confirmed the report which had leaked out that some interruption of their friendship had taken place. [1]

Various causes contributed to the diminution of the goodwill which Lauderdale had hitherto exhibited towards Argyll. One of these we have already referred to as arising from the malign influence upon the former which was exercised by the Countess of Dysart. Others were the intrigues of a political colleague, and the disfavour with which the proposal of a marriage between Argyll and the Countess of Balcarres was regarded by Lauderdale. Political alliances are apt "to ebb and flow with the moon," and that which for a time existed between Lauderdale, Argyll and Tweeddale was no exception to the rule. The last named of the trio had needed extraneous aid in overcoming the distrust created by some of the incidents of his public life, which threatened to hinder his advancement in the service of the State. He had received this aid from Argyll who employed on his behalf the influence which he possessed with Lauderdale. When he was able to stand alone and use his independent judgement, he concluded that the Secretary of State for Scotland wasted too much of the precious advantages which the favour of the King put within his reach by supporting Argyll against so much opposition, and began to consider the latter as a rival to be crushed. The House of Campbell had enjoyed almost royal power in the Western Highlands, and had suffered grievous overthrow in the forfeiture which followed on the condemnation of the Marquess. The Earl was naturally desirous that as much as possible of the pristine glory of his family should be restored, and sought to have the office of Justice-General of all the Isles bestowed upon him. This would virtually have made him ruler of that

[1] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 179.

part of Scotland, and conferred on him power to adjudicate upon all offences except that of treason. Tweeddale secured opposition being offered to this scheme in the Court of Exchequer by the Lord Advocate, who sent up to the Sovereign reasons weighty enough to prevent its being sanctioned. Argyll's temper, which was at no time too placid, was greatly irritated by this action on the part of one from whom he thought he deserved far kinder treatment, and we are told "he burst out into passionate railings against Tweeddale, which being carried to the other did so feed their mutual aversion that it appeared thereafter openly in all encounters".[1] The hostility between them was zealously fomented by interested parties and found various opportunities of expressing itself. One of them arose out of the proposed marriage, already referred to, between Argyll and the Countess of Balcarres. As the parties specially concerned in this marriage were sufficiently mature in age to be able to know their own minds and manage their own affairs, the Earl being now over forty and the Countess perhaps some eight years older, the interference of an outsider seems somewhat uncalled for. Both Tweeddale and Lauderdale were related to the young Earl of Balcarres, who was now about sixteen years of age, and much interested in his welfare. We presume, therefore, that they thought that his interests would probably be unfavourably affected by this proposed marriage, as he would be deprived while still a mere boy of his mother's oversight of his affairs, which had been managed by her successfully since her husband's death.[2] At any rate Lauderdale was induced to try to hinder the marriage on

[1] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 180.

[2] Lindsay, *Life of Lady Anna Mackenzie*, p. 82. This pleasantly written little biography appeared in 1868. The frontispiece professes to be a portrait of the Countess of Balcarres. It is that of a lady in Elizabethan dress and is the likeness usually given as that of the first wife of the 7th Earl of Argyll. How the likeness of our 9th Earl's grandmother came to be presented as that of his second wife we cannot tell. The portrait in question had been engraved before and published with the inscription—"Anne, Countess of Argyle from a picture in the Collection of Lady Mary Coke."

this ground by requesting Argyll to proceed no further in the matter. The Earl was too high-spirited to submit to such dictation, especially in order to gratify his rival, Tweeddale, and the marriage took place shortly afterwards. The young Earl of Balcarres, whose love for his mother never waned, does not seem to have suffered any loss from being launched on the world at an early age, and he lived to be a prominent supporter of the Stewart cause in Scotland both at the Revolution and in 1715.

On Friday, Jan. 28th, 1670, the Earl of Argyll married as his second wife Anna Mackenzie, younger daughter of the Earl of Seaforth, and widow of the 1st Earl of Balcarres. She was now, as already stated, about forty-eight years of age and had been eleven years a widow. The marriage took place at Balcarres in Fife, and was performed "without proclamation" by Mr. David Forret, minister of Kilconquhar, by special licence from Archbishop Sharp.[1] Her first husband had been a zealous covenanter and had fought for that cause at Marston Moor, Alford and Kilsyth, but he had taken part in the invasion of England under the Duke of Hamilton which was defeated by Cromwell at Preston. He was one of those, as we have told, who supported Glencairn's rebellion in the Highlands after the Battle of Worcester, and his wife, we are informed, "through dearness of affection, marched with him, and lay out of doors with him on the mountains."[2] His health was shattered by the hardships he then endured, and he died of consumption in 1659.[3] Immediately after the Restoration his widow came to England, and formed an intimate friendship with Richard Baxter, whose writings had been strongly recommended to her husband by her cousin, the Earl of Lauderdale. The character given of her by that Divine is worth quoting. "Her great Wis-

[1] Lamont, *Diary*, p. 270.
[2] *Reliquiae Baxterianae*, vol. I, p. 121.
[3] Lindsay, *Life of Lady Anna Mackenzie*, p. 40.

dom," he says, "Modesty, Piety and Sincerity, made her accounted the Saint at the Court..... She is of solid understanding in Religion, for her sex," he adds with painful conscientiousness; "and of Prudence much more than ordinary; and a great Hater of Hypocrisie and faithful to Christ in an unfaithful World; and she is somewhat over-much affectionate to her Friend; which hath cost her a great deal of Sorrow in the loss of her Husband, and since of other special Friends."[1] By her first husband she had two sons, Charles and Colin, the 2nd and 3rd Earls of Balcarres, and three daughters Anna, Sophia and Henrietta. Anna while still a girl, between sixteen and seventeen years of age, occasioned her mother much grief by becoming a Roman Catholic and entering a nunnery. In the volume of Autobiography by Baxter, entitled *Reliquiæ Baxterianæ*, he gives a most interesting account of his fruitless endeavours to reason her out of what he regarded as her delusion, and in a copy of the work which is still extant there is a touching note written by the aged Countess long after her daughter's death which shows that her sorrow was never fully assuaged.[2] Sophia and Henrietta were still young at the time of their mother's second marriage. Sophia lived to play the part of a heroine in saving her step-father's life by aiding him to escape from prison while under a sentence of death. She afterwards married his son Charles.[3] Henrietta married Sir Duncan Campbell, a kinsman of the Earl's and his lieutenant-general. In days of adversity she shewed a tenderness and courage and faith which proved her worthy both of the family from which she sprang and of that with which she was allied. Among the Wodrow MSS. in the Advocates' Library is a copy of a *Diary* of hers which the Covenanting historian thought worth transcribing and preserving.

[1] Foxcroft, *Supplement to Burnet*, p. 29: *Reliquiæ Baxterianæ*, vol. I, p. 121.

[2] *Ibid*, vol. II, p. 221: Lindsay, *Life of Lady Anna Mackenzie*, p. 139: Dr. John Brown, *Horæ Subsecivæ*, Sec. Ser., p. 49.

[3] Probably in 1678, see Douglas *Peerage*, "Argyll".

The voluminous document is to a large extent a record of her spiritual experiences, but it also contains references to incidents in the lives of various members of her family. Though it is devoid of literary merit it has value as giving us a glimpse into the religious opinions and feelings of those in the circle within which she moved, and as casting light upon the condition of ecclesiastical matters in her time. From it we find, as one might have expected, that religious fervour was conspicuously present in the ministrations of those who suffered for adherence to their principles. The clergy whose position was supported by armed force are described by her as "formal, lifeless preachers", and one feels that in the circumstances matters could scarcely have been otherwise. The fact that among those whom the State proscribed spiritual religion took refuge, and that to many of them it imparted its choicest gifts and graces has to be taken into account by the historian who has to deal with that strange and distracted time.

A few months after her marriage, the Countess of Argyll wrote a touching letter to Lauderdale protesting that she had done nothing to deserve his displeasure, and entreating him to resume his former kindly feelings towards her and her husband, and to befriend her son. The reference in it to the Earl of Argyll is interesting as giving us a glimpse into his family life and a testimony to that integrity of character which raises him so high above the politicians of his time. It is as follows: "Some says your Grace is also displeased with my Lord,—who, I can say deserves [it] not from you. It's hard, for [i.e. because of] his affection to so near a relation of your own,[1] it should be so, he being ignorant of it. I shall beg of your Grace whatever you are pleased to allow me, that you be to my Lord friendly. You have experience of his love, and [may] believe you are not capable almost to do that he will take ill from the Earl of Lauderdale. If you do not so, your Grace will but please your enemies

[1] The Countess of Argyll was a cousin of Lauderdale's.

and displease those wishes you [i.e. who wish you] as well as any upon earth does. My Lord is so faithful and excellent a person that I think all should covet his love and friendship. I am sure I could justify this by the testimony of his greatest enemies, would they be so good to themselves as to speak truth ; but the sincerity of his love and respect, will, I know, hardly allow him to say to your Grace that which may be looked upon as a compliment. It's most certain that person lives not that honours, loves, and will be more concerned for you, and industrious to serve you.[1]" Lauderdale seems to have taken no notice of this letter and there are no traces of any further correspondence between him and the Countess. The latter had arranged in the first instance that her daughters were to reside with their brother, the Earl of Balcarres, but the more natural arrangement of their being with her was afterwards adopted. The former plan was no doubt suggested in view of his marrying and having a household of his own, but was set aside in consequence of the death of his young wife within twelve months of her marriage.[2]

[1] Lindsay, *Life of Lady Anna Mackenzie*, p. 98.
[2] *Ibid*, pp. 84, 87.

CHAPTER X.

A " clanking Act " against conventicles—Leighton's endeavours after a compromise—Widespread misery and dissatisfaction in Scotland—Another session of Parliament—2nd Act of Indulgence—Strong political opposition to Lauderdale—Increase of Conventicles in Scotland—Petition of women to the Privy Council—Members of Argyll's family sympathize with recusants—Conflict between the Government and the Advocates—Proposals for a National Synod.

In addition to the measures already mentioned Lauderdale carried through Parliament what he called "a clanking act " against conventicles, [1] which certainly exceeded in severity everything in the way of restriction that had as yet emanated from the Government. By it no persons except the Established Clergy and the indulged ministers were allowed to preach, expound the Scriptures, or pray at any meeting, unless in their own houses or families, under penalty of imprisonment, which was to last until those breaking the law bound themselves not to repeat the offence and provided substantial security for good behaviour ; while on their hearers were to be imposed very heavy fines in proportion to their rank and means. Penalties for holding field-conventicles were to be still more drastic, and the same were to be inflicted also in cases where a meeting in a house overflowed into the street. The person calling such a meeting and the minister officiating at it incurred the punishment of death and confiscation of goods. Large rewards were offered

[1] *Lauderdale Papers*, vol. II, p. 200.

to those who informed against them and apprehended them, and such persons were freed from blame if in so doing slaughter were to be committed. The hearers at such field-conventicles were to be fined double the sum imposed on those who frequented prohibited meetings held within the four walls of a room. This Act was to be in force for three years and might, if it were thought necessary, be renewed at the end of that time.[1]

The passing of such a Draconian measure at this particular time has puzzled many and has been spoken of as an inexplicable resort to severity on the part of Lauderdale, the general spirit of whose policy had hitherto been comparatively mild.[2] In order to understand it we have to bear in mind that the Government lost prestige wherever those who had refused to accept the Act of Indulgence still officiated, and that though "the liberty of preaching and hearing the evangel"[3] might have been an inalienable right recognised by Acts of Parliament, the restrictive measures passed since 1661 made it in certain circumstances closely akin to rebellion. It only needed that persons coming to such a meeting should carry arms to defend themselves or their minister from molestation, in order to turn a purely religious service into a gathering which even the acutest casuist could scarcely distinguish from a camp of insurgents. Such an armed conventicle had recently been held in Fife and had been attended by large numbers.[4] That such an example was highly infectious need hardly be stated, and the mere occurrence of this gathering is enough to explain the drastic terms of the Act in question. It was intended to be not only a powerful persuasive to those who were wavering in their opinion as to accepting the Indulgence or not, but also a support to the Government by arming it with extensive powers for dealing with any serious emergency

[1] Wodrow, *History*, vol. II, pp. 171-175 : *Life of Robert Blair*, p. 536.
[2] Grub, *Ecclesiastical History of Scotland*, vol. III, p. 243.
[3] Wodrow, *History*, vol. II, p. 169.
[4] Burnet, *History of My Own Times*, vol. I, p. 292 : Mackenzie, *Memoirs of the Affairs of Scotland*, p. 188 : *Life of Robert Blair*, p. 535.

that might possibly arise. If we regarded the Indulgence as an expression of good-will the "Clanking Act" might be inexplicable. But Lauderdale was simply dealing in what he regarded as an appropriate way with two different sections of his opponents: to the reasonable he was showing himself reasonable, 'to the froward he was showing himself unsavoury'. As a mere matter of fact this Act was not immediately followed up by numerous prosecutions under its provisions.[1] That it was intended at its origin to be merely a temporary Act which would lapse of itself in course of time is evident from its being limited to three years, unless circumstances should demand its renewal at the end of that period. It would not, indeed, be correct to call it a mere threat. For there was a determination on the part of the authorities to enforce it, if necessary, and it was at a later time renewed and enforced with ruthless severity. Yet we can understand the statement concerning it made by the Earl of Tweeddale, a politician of moderate and reasonable temper, that there was no intention of putting it in operation,[2] for it was quite evidently an Emergency Act rather than an ordinary statute added to the general body of the laws of the country. The very harshness of its terms secured that it would not be lightly employed. We are told that Charles II considered it to be extravagantly severe, especially in that part which inflicted the penalty of death on preachers at field conventicles. He said, Burnet tells us, that bloody laws did no good, and that he never would have passed this if he had known it beforehand.[3]

Bishop Leighton was absent from Parliament when this Act against conventicles was passed, and knew nothing of it until too late. He told the Earl of Tweeddale that it was so inhuman, not to say unchristian, that he was ashamed to advise with persons who could frame and pass such measures. He, indeed, had grave reasons for

[1] Wodrow, *History*, vol. II, p. 182: *Lauderdale Papers*, vol. II, p. 212.
[2] Burnet, *History of My Own Times*, vol. I, p. 293.
[3] *Ibid*, p. 292.

objecting to it as it virtually nullified the scheme of accommodation between Presbyterianism and Episcopacy which he was very zealously engaged in promoting under the sanction of the Government. His proposal was that both parties should make concessions: that the Bishops should be simply perpetual moderators of Presbyteries and Synods and that all affairs should be managed in these courts by a majority of votes. His scheme was foredoomed to failure, as the advocates of Episcopacy were opposed to it on the very reasonable ground that it was inconsistent with their doctrine of church government, and those of Presbytery repudiated it for kindred reasons, since it merely disguised the Bishops' usurped and autocratic power, and excluded the lay eldership from their due share in the management of ecclesiastical affairs.[1] The fact, too, that Leighton's scheme had not the support of the Primate and of the other Bishops made all conferences for the discussion of it a mere farce. That he was an amiable, saintly man, and one who for the sake of peace was willing to make extensive concessions to his opponents, seems beyond all question. But when we consider that he had received no commission from his brethren to make such concessions and that he was merely giving up claims upon which he himself set but slight value, there seems to have been a certain measure of fatuity in his proceedings.[2] This consideration should in all fairness be kept in view in judging the conduct of those Presbyterians with whom he entered into conference and who have often been condemned for not leaping to welcome his proposals.[3] In his closing interview he cast upon them the whole responsibility of perpetuating ecclesiastical divisions which he had sought to heal; but in view of the fact that he himself privately declared to Lauderdale that the Act of Glasgow in 1662 had made

[1] Wodrow, *History*, vol. II, p. 179.
[2] *Lauderdale Papers*, vol. II, p. 213.
[3] Burnet, *History of My Own Times*, vol I, p. 292: Grub, *Ecclesiastical History of Scotland*, vol. III, p. 241.

'the wound of the schism in Scotland almost incurable', his action in so doing seems to us to savour of impertinence.[1]

The evils that afflicted Scotland during Lauderdale's administration and in consequence of it were neither few nor slight, and they render the history of that period singularly dreary and depressing. Early in 1672 the English Government again declared war against Holland—a war that lasted for two years—and the result was that again the main outlet for Scotch produce was closed, with ruinous effect upon the trade and revenues of the country, while at the same time the cost of maintaining the national defence was of course considerably increased. So serious was the condition of matters that a request from Charles II just before the war broke out that a regiment of a thousand infantry should be levied in Scotland and supported in that country as an additional contribution to the army of defence, was considered by the Commissioners of the Treasury as impracticable. They pointed out that the last war with Holland had led to a diminution of the revenue of Scotland to the extent of a third, and that the same result might be expected again. So scarce, indeed, was money in the country that it was extremely difficult to collect the ordinary taxes.[2] In addition to this, heavy duties on salt and other important articles of consumption, together with monopolies in them granted to various persons, were a crushing and most vexatious evil and one which called forth widespread protest.[3] The abuses in question had arisen in the following way. After the Restoration the English Parliament had imposed heavy duties on Scotch commodities imported into England, and in retaliation duties of a prohibitive kind had been imposed upon English goods coming into Scotland. The suggestion was thereupon made that Charles II should be

[1] *Lauderdale Papers*, vol. III, p. 51.
[2] *Ibid*, vol. II, p. 223.
[3] *Ibid*, p. 244.

empowered to remedy this state of affairs as he judged best. But in place of this being done a hasty and ill-considered Act had been passed in 1663, empowering the King to impose such duties as he thought fit upon foreign goods coming into Scotland. The result of matters was that the trust lodged in the Crown was abused. Monopolies and "gifts" were granted by which certain favoured individuals were enriched, while the general population was oppressed and defrauded. [1]

The ecclesiastical confusion ever remained a source of misery and smouldering disaffection : and though the sanguinary Acts of repression were not at once and continuously enforced, finings and imprisonings and all kinds of interference with the rights and liberties of the subject went incessantly on. Nor was the Episcopal Church with the support of the Government at its back in a position that any need have envied. Its constitution was disorganised, its authority feeble, and its ritual chaotic, while every attempt at independent action was regarded with suspicion and resentment by the secular power. In many parts of the land the ministers of that Church were alien in sympathy to the population, and acted as spies and informers upon their parishioners, and co-operated with the soldiery that enforced the laws demanding conformity to the religious system which the State had treacherously imposed upon the nation. [2] Such relations between ministers and people, it need scarcely be said, were hostile to the cultivation of the spiritual life. So much was this the case that the very fact of persons being of a God-fearing conduct and character exposed them to the suspicion of sympathy with those who adhered to the proscribed form of religion. [3] As

[1] Mackenzie, *Memoirs of the Affairs of Scotland*, pp. 133, 241, *et seq.*: Burnet, *History of My Own Times*, vol. I, p. 354.

[2] Those who think this statement too strong are referred to the atrocious *Suggestions* by the Scotch Bishops for the suppression of the conventicles in the West, *Lauderdale Papers*, vol. III, p. 95. See also Wodrow, *History*, vol. III, p. 287.

[3] Kirkton, *History*, p. 355 : McCrie, *Memoirs of Veitch*, etc., p. 62.

we have already said, persecution, while weeding out hypocrites from a religious community, has an unwholesome influence on those who remain steadfast to their principles, and inclines to make them narrow and rancorous in opinion and spirit. Yet there can be no doubt that those against whom the Conventicle Acts and kindred measures were directed, were widely respected even by many of those who did not adhere to them. This strengthened their cause materially and weakened the hands of the executive Government.

Another consideration has to be kept in view if we would understand the history of that time. Owing to the peculiar constitution of the Scotch Parliament legislation was almost entirely in the hands of the sovereign or of his representative, and the opposition, should there be such, could scarcely do more than give a voice to the public desires or discontent. Yet for eight years, from Dec. 2nd, 1673 [1] to July 28th, 1681, no Parliament met, and even this poor and imperfect means of resistance to despotism was thus removed. The result was that the opposition which the extreme section of the Presbyterian party offered to the Government on religious grounds was regarded with a measure of sympathy by many others who were deprived of constitutional and regular means of checking the evils which they deplored. [2] The religious fervour, which characterised those who thus from the force of circumstances rather than by their own deliberate choice became guardians of national rights and liberties, was of itself of immense value. It inspired patience as well as hope, and it controlled to a large extent those lawless and immoral elements of society which are eager to support the cause of revolution. The religious side of the Covenanting cause is repellent to many of a certain school in our own time, but there can be no doubt that it was in consequence of it that the overthrow of

[1] This Parliament met in 1674 but only to be adjourned, and it was dissolved on May 19th of that year.

[2] *Lauderdale Papers*, vol. III, p. 83.

Episcopacy and of the House of Stewart in Scotland was effected with so little bloodshed.

In the June of 1672 Lauderdale, who was now a Duke and a Knight of the Garter, came down to hold a session of Parliament. He was accompanied by his new Duchess, who gave some offence by the almost royal state with which she and a train of some thirty or forty other ladies presented themselves at the opening of Parliament to hear the Commissioner's speech. The main substance of this was a statement of the reasons which had moved the English Government to go to war with Holland, among which was the shelter given in that country to rebels from Scotland and England. The Parliament approved of the declaration of war and made the usual tender of their lives and fortunes in support of it.[1] Among the other private instructions given by Charles II to his Commissioner was a recommendation to consult with the authorities in Scotland as to what further steps might be taken in order to settle ecclesiastical difficulties in the country. The result of this was that, after taking the advice of members of the Privy Council, Lauderdale promulgated a second measure of Indulgence. Its more correct designation would be a measure of Confinement, for it simply ordered some eighty or ninety of the 'outed' ministers to remove to certain parishes, within the bounds of which alone they were to have liberty to exercise their sacred functions. In some cases they were appointed as colleagues to incumbents already in charge, while in other cases two or three of them were associated together. The stipend was divided among them, and their parishioners were at liberty to supplement it if they chose to do so. The reasons alleged for this measure were the disorder which had lately been caused by conventicles, and the desire on the part of the Government 'to remedy so great an evil in the gentlest manner which could be thought on.'[2] The measure, however, neither met with general

[1] Law, *Memorialls*, p. 48: Mackenzie, *Memoirs of the Affairs of Scotland*, p. 219.
[2] Wodrow, *History*, vol. II, p. 203 : Kirkton, *History*, p. 326.

acceptance on the part of those principally concerned, nor was fully carried out by the Government,[1] and beyond dividing the ranks of those for whom it had been prepared, it did little to settle or even to alter the difficulties of the situation. The virtual admission on the part of the Government by proposing such a measure that a great act of injustice had been perpetrated was incongruous with the highhanded and peremptory method suggested for dealing with the grievances which were now in most cases of some eleven years' standing. Had the Indulgence merely allowed the "outed" ministers to return to their office it would have been scarcely possible to object to it; but as a matter of fact it was a bargain by which on returning they admitted the rule of the King as head of the Church and accepted, though in a modified form, the rule of Bishops. So unsatisfactory was the condition of matters that Robert Douglas, one of the ablest and most statesmanlike ecclesiastics of his time who had accepted the first Indulgence, was desirous to head a movement of those who had done the same, if they would give up their incumbencies and join those who refused to accept the present measure.[2] On the other hand Lauderdale was instructed to declare that none of those who declined this offer would ever have anything of the kind again presented to them,[3] and the sanguinary Acts of 1670 against Conventicles were renewed.[4]

To the various causes of public discontent in Scotland which we have already mentioned have to be added the insolence of Lauderdale himself and the shameless greed of his wife and friends, for whose benefit every public office that became vacant was set up for sale.[5] All this made his task of governing the country one of

[1] *Lauderdale Papers*, vol. III, p. 51.
[2] Wodrow, *History*, vol. II, p. 206: Kirkton, *History*, p. 331: Law, *Memorialls*, p. 51.
[3] *Lauderdale Papers*, vol. II, p. 235.
[4] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 220.
[5] Burnet, *History of My Own Times*, vol. I, p. 355.

considerable difficulty. At the close of 1673, when he came down to Edinburgh and opened Parliament, he was confronted for the first time with an organised and resolute opposition on the part of a considerable section of the nobility, headed by the Duke of Hamilton. They demanded redress of certain national grievances and even constitutional changes that would take the control of legislation out of the hands of the King and place it in those of Parliament itself. This was, indeed, an unexpected and alarming state of affairs. "I met with such a spirit", says Lauderdale, "as I thought never to have seen heir".[1] "He was," says Burnet, "struck as one dead", for he had raised his credit at court by professing to hold Scotland in the hollow of his hand, and if this proved to be an empty boast he was almost bound to sink.[2] He was firmly convinced that the opposition from this quarter was to a large extent due to the intrigues of Shaftesbury and there is every reason to believe that his suspicions were well founded. The latter had now been dismissed from the Chancellorship (Nov. 9th) and was in open antagonism to the Government and was regarded by the public as the chief protector of Protestantism and of the liberties of England. Charles II openly asserted that Shaftesbury was encouraging the opposition in the Scotch Parliament in order to embarrass the Government.[3] Lauderdale was in too precarious a position to attempt to suppress the disaffection which confronted him by mere brow-beating. He had been attacked in the House of Commons as an evil councillor of the King and but for the prorogation of Parliament further steps against him would have been taken.[4] It would, therefore, be unwise for him to increase unnecessarily the unpopularity which his management of public affairs had already excited against him in Scotland. Never since 1637,

[1] *Lauderdale Papers*, vol. II, p. 241 : Kirkton, *History*, p. 341 : Law, *Memorialls*, p. 54.
[2] Burnet, *History of My Own Times*, vol. I, p. 363.
[3] *Lauderdale Papers*, vol. III, p. 18.
[4] Christie, *Life of Shaftesbury*, vol. II, p. 155 n.

when the troubles broke out which led to the downfall of Charles I's rule in that country, had such ominous murmurs of insubordination been heard in political circles. Indeed, but for the present Sovereign's prudence the historian might have had to record a much closer parallel between the events of 1637 and those of 1673 : for Lauderdale was prepared to introduce another liturgy into Scotland and only abstained from doing so on receiving a peremptory command from the King to drop the scheme.[1]

Lauderdale was fully equal to the emergency which met him on this occasion. He promptly redressed the grievances connected with monopolies on salt and other articles,[2] but he steadfastly opposed the demand to modify the system which placed the power of legislating in the hands of the Lords of the Articles who were virtually chosen by the King.[3] The removal of the most clamant grievances perceptibly relieved the danger of the situation ; while in refusing to throw the constitution into the melting-pot in a time of public unrest Lauderdale had the support of several Scotch politicians of reputation—among whom was our Earl of Argyll. Indeed throughout this juncture of affairs the latter gave him a steady support.[4] The victory which "The Faction," as Lauderdale called them, prided themselves upon having won encouraged them to persist in their attack upon the Royal Commissioner. They spoke of preventing similar abuses in time to come, of judges being nominated by Parliament instead of by the King, and of some liberty being granted to those who had religious grievances.[5] But the strenuous and unwavering support which Charles gave to Lauderdale, defeated these projects. The latter left no stone unturned to maintain

[1] Wodrow, *History*, vol. II, p. 228 : *Lauderdale Papers*, vol. II, p. 236.
[2] *Ibid*, vol. III, p. 4 : Law, *Memorialls*, p. 46.
[3] *Ibid*, vol. II, p. 246.
[4] Kirkton, *History*, p. 342 : Mackenzie, *Memoirs of the Affairs of Scotland*, p. 258 : Wodrow, *History*, vol. II, p. 228.
[5] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 260.

his position. The Earl of Kincardine, the last of the Scotch politicians of reputable character to co-operate with Lauderdale, was sent to mount guard at Whitehall while he himself was absent in Scotland. Kincardine zealously canvassed the principal politicians of the Court Party and secured their influence in favour of his colleague whom the faction of Shaftesbury were assailing. [1]

Hamilton and Tweeddale and others of the opposition in Scotland, on the adjournment of Parliament, went up to Court to use their influence against Lauderdale, but they met with very poor success. Charles accused them of undermining his authority, and assured them that he would not suffer his servant to be torn from him. Indeed he said that he was bound in honour to protect one who had served him faithfully, and that he could never again expect loyal service from any one, if there was a risk of being given up into the hands of those who hated them, simply because they had adhered to his interests.[2] Greatly to the mortification of the King, these malcontents from Scotland were in daily communication with Shaftesbury, Buckingham and others of their party in London, and the result of their deliberations was that the House of Commons resumed their attack upon Lauderdale, and presented a request to the King asking him to remove him from his presence forever. The grounds upon which they preferred this were that as head of the administration in Scotland he had raised an army for the purpose of employing it to establish arbitrary power in England, and that at a meeting of the Privy Council in England he had declared that royal edicts were equal with the laws, and ought to be observed in the first place.[3] Charles replied that he would take the matter into consideration. That his zealous servant, however, was in no risk of dismissal and disgrace, was evident from

[1] *Lauderdale Papers*, vol. III, p. 10 : Kirkton, *History*, p. 342 : Law, *Memorialls*, p. 57.
[2] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 264.
[3] *Commons' Journal*, Jan. 13th, 1674.

a letter which the King wrote next day with his own hand. In it he said: "I could not lett this expresse go to you without a line under my owne hand to assure you of the continuance of my kindness to you which nothing shall alter."[1] It was beyond the power of the King to order the Scotch malcontents to return home; but the expectation that Parliament was likely to sit at the time to which it had been adjourned, induced them to do so. Their hope was that they would be able to secure a petition being carried asking the King to remove Lauderdale as one under whom the nation would never be at peace. The hope proved delusive. A thousand horsemen went out to welcome Hamilton and his associates on their return journey, and a great crowd accompanied them to the Parliament House on the day appointed, only to hear Lauderdale adjourn Parliament again by the King's command before an item of business could be transacted.[2] In order to put an end to intrigues against himself by reducing his opponents to despair, Lauderdale induced the King to dissolve this Parliament and, as we have already said, no other was convoked until July 28th, 1681. In the meantime the Secretary for Scotland governed by what he called "the good old form of government by His Majesty's Privy Council".[3] In this wanton and high-handed suspension of Parliamentary Government for so many years we may see a proof that very grave reason for discontent existed in the country, and that, in addition to the covert opposition of the extreme Presbyterian party, there was a strong force of public feeling hostile on other grounds to the despotic rule which weighed like an incubus upon the nation. At the same time Lauderdale sought to secure some measure of popularity by procuring a proclamation to be issued, called an Act of Grace, in which the King

[1] *Lauderdale Papers*, vol. III, p. 22 : Law, *Memorialls*, p. 58.
[2] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 264 : Law, *Memorialls*, p. 64.
[3] *Lauderdale Papers*, quoted in Burton, *History of Scotland*, vol. VII, p. 465.

remitted all fines and penalties imposed for attendence at Conventicles before that date (Mar. 4th, 1674), and wiped out various arrears of public debts, the exaction of which had been one of the grievances complained of. [1] At the same time the announcement was made that in future the laws would be strictly enforced.

Ever since the publication of the second Indulgence conventicles had increased both in numbers and in frequency ; for that measure, unsatisfactory as it was to many to whom it was offered, gave encouragement to the Nonconforming party by virtually admitting the reality of their grievances. As the attention of the authorities had been distracted from the task of prosecution on account of the war with Holland and the political disputes at home between Hamilton and Lauderdale, the laws against these gatherings had not been rigorously enforced. Indeed it is said that these statesmen were by no means ill-pleased to hear of the increase of conventicles, as each hoped that the other would be blamed for the spread of disorder in the country. But after the publication of the Act of Grace, which remitted punishments incurred by this form of lawlessness, the holding of such meetings became far more widespread. The Act in question was regarded as encouragement for the future rather than forgiveness of the past. With the exception of the country north of the Tay, which had never been very zealous in the cause of Presbyterianism, and of the districts in which those ministers were settled who had accepted the Indulgence, in many places throughout Scotland—in fields and on moors and on the mountain-side—multitudes gathered every Sunday for the next five years to take part in the proscribed worship. Indeed at times they took possession of churches, especially in cases where these were vacant in consequence of congregations deserting services conducted by the established clergy. On one occasion they were bold enough to

[1] Mackenzie, *Memoirs of the affairs of Scotland*, p. 266 : *Lauderdale Papers*, vol. III, p. 38 : Kirkton, *History*, p. 342 : Wodrow, *History*, vol. II, p. 266.

occupy a church in Edinburgh itself, that of St. Magdalen in the Cowgate—the church to which the body of the Marquess of Argyll was carried after his execution. The condition of matters at this time and during the immediately succeeding period is vividly described by the historian Kirkton. "Then", he says, "the discourse up and down Scotland was the quality and successe of the last Sabbath's conventicle, who the preachers were, what the number of the people was, what the affections of the people were, what doctrine the minister preached, what change was among the people, how sometimes the soldiers assaulted them and sometimes killed some of them; sometimes the soldiers were beaten and some of them killed." [1]

A striking incident which occurred early in June, 1674, illustrates the state of public feeling in Scotland at that time. As it would have been dangerous for men openly to protest against the action of Government, a large number of the women of Edinburgh met to present a petition to the Privy Council, asking that "a gospell ministry might be provided for the starving congregations of Scotland." [2] Fifteen women, most of them ministers' widows, attended by a great crowd that filled the Parliament Close, presented copies of the petition to the principal members of the Privy Council as they arrived at their place of meeting. When the Lord Chancellor Rothes alighted from his coach with Sharp, the Primate, Mrs. Livingston, widow of the minister of Ancrum who had been one of the commissioners to Charles II in 1650, gave him the document. He received it courteously and listened to what she had to say, as she walked beside him holding his sleeve until he reached the door of the Council Chamber. Sharp kept close to the Chancellor, somewhat to the latter's amusement, as though to claim

[1] *History*, p. 343.

[2] *Ibid*, p. 344: Mackenzie, *Memoirs of the Affairs of Scotland*, p. 273: Wodrow, *History*, vol. II, p. 268: Mackay, *Life of 1st. Viscount Stair*, p. 111: Law, *Memorialls*, p. 67: *Life of Robert Blair*, p. 538.

protection against bodily violence, but none was offered to him. He was received with reproaches and addressed as "Judas" and "traitor", and one of the petitioners was bold enough to lay her hand upon his neck and tell him that that "must pay for it ere all was done". Sir James Dalrymple, though one of the Privy Council from whom some sympathy with the petitioners might have been expected, flung his copy of the petition on the ground. The mere fact that he was known to be ready to promote measures of accommodation with the Presbyterian party would of course make him specially eager to dissociate himself from tumultuous proceedings like these. Argyll's action on this occasion is not recorded, but it may be taken for granted that he disapproved of the mode of presenting the petition. The Privy Council on assembling pronounced the document a seditious libel, and sent for the Provost and guard to dismiss the crowd. The incident closed with the infliction of short terms of imprisonment upon two or three of the ringleaders. [1]

The fact that the sympathies of members of the Earl's own household were with the Covenanting party was notorious, and on one occasion about this time he was in some danger of being compromised by it. His stepdaughter, Lady Sophia Lindsay, to whose courage and cleverness he was afterwards so much indebted for his escape from Edinburgh Castle, was a friend of Mr. Blackader, the well-known preacher, and from time to time she attended conventicles at which he officiated. [2] A son of Mr. Blackader's was an apprentice in a shop in Stirling, and in the November of 1674 he was apprehended and imprisoned along with others on the charge of refusing to take the prescribed oath, and of attending conventicles. The procedure, so far as he was concerned, was utterly illegal, and was due to the violence and ignorance of the Provost of Stirling. "While I was in prison," he says, "the Earl of Argyll's two daughters-in-law, Lady Sophia

[1] Kirkton, *History*, p. 346 : Wodrow, *History*, vol. II, p. 269.
[2] Crichton, *Memoirs of Rev. J. Blackader*, p. 177.

and Lady Henrietta, and Lady Jean his own daughter, did me the honour, and came to see me; where, I remember, Lady Sophia stood up upon a bench, and arraigned before her the Provost of Stirling; then sentenced and condemned him to be hanged for keeping me in prison; which highly enraged the poor fool provost, though it was but an harmless frolick. It seems he complained to the [Privy] Council of it, for which the good Earl was like to be brought to much trouble about it."[1] As, however, the Privy Council on receiving a petition drawn up by Dr. Blackader, the prisoner's brother, condemned the action of the authorities in Stirling as illegal and ordered the accused to be set at liberty, the matter blew over. The scene suggested by the apprentice's narrative is a pretty one. The liveliness and high spirits of these young creatures as they criticize the actions of "the powers that be" are like a gleam of sunshine in that dark and stormy age.

In two unexpected quarters a feeble trace of that sturdy independence, which had been a marked feature of the Scotch character and which neither severity nor Indulgences could suppress in the Church, made its appearance. A dispute arose between some of the advocates and the Lords of Session as to the right of appeal to Parliament. Such appeals under the name of "protests for remead of law" had been occasionally known in instances where some modification of the statute-law was in the opinions of judges called for; but the present proposal was to make all final interlocutors subject to revision by Parliament.[2] This was no doubt objectionable on several grounds. Thus, for instance, it would give an equal value to the vote of an ignorant member of Parliament and to that of a trained legal expert, in judging a case which perhaps might need all the latter's skill for deciding it correctly, and also as the power of the nobility was predominant in Parliament

[1] Crichton, *Memoirs of Rev. J. Blackader*, p. 330.
[2] Mackay, *Life of 1st. Viscount Stair*, p. 120.

such a proposal would give them an undue influence in private cases.[1] But the main ground of objection to it on the part of Charles II and of Lauderdale undoubtedly was that if Parliament were made a Court of Judicature, it would need to meet frequently and regularly.[2] In the present temper of the people of Scotland the meeting of Parliament was by no means desired either by the King or by his Secretary of State for that country. The consideration that by this method the royal policy might be thwarted influenced many who supported the right of appeal, and had their claim been granted, a fatal blow would have been inflicted upon the despotic government of Scotland at this time from which so many evils sprang. The matter was settled by a letter from the King condemning such appeals, and debarring the advocates in a particular case from the exercise of their profession in time to come, if they persisted in the appeal which they had made. Sir George Lockhart and Sir John Cunninghame, the persons concerned, refused to disown their appeal, and were accordingly debarred from employment. About fifty of their fellow-advocates espoused their cause, and withdrawing from Parliament House took up their residence in Haddington and Linlithgow. The Privy Council forbade them to return within twelve miles of the capital. The stuff of which martyrs are made was, however, not found in these lawyers, for in a year's time they were restored to their former status and privileges on their petitioning for re-admission to them and on their disclaiming the right of appeal.[3]

The other quarter in which misgovernment produced complaint and threatened to produce insubordination was the Established Church. Here many of the clergy and some even of the Bishops began to murmur that their Church was without a constitution and that Sharp

[1] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 268.
[2] Burnet, *History of My Own Times*, vol. I, p. 370.
[3] Mackenzie, *Memoirs of the Affairs of Scotland*, p. 309: *Life of Robert Blair*, p. 540.

acted as a pope, and they were desirous that a National Synod should be called to plan reforms and to remedy grievances.[1] Whether the proposal would have been as successful as its promoters believed may be doubted, but there was nothing unreasonable or illegal in it. Unfortunately for the scheme, however, it was strongly supported by the Duke of Hamilton and the faction opposed to Lauderdale and converted into a means of attacking the Government. Petitions which in some instances at any rate had been instigated by Hamilton and his associates came up to the Privy Council from various local Synods, drawing attention to the present disorders in the country and the dangers to which the Church was exposed, demanding both redress and protection, and declaring that the most suitable remedy was the calling of a National Synod. The Privy Council was taken by surprise as the opponents of the Government presented themselves in full force to support the petitions. The Lord Chancellor and others pointed out that the remedy for disorders was the enforcement of the existing laws, and that a request to the Sovereign to adopt some new measure of dealing with them would be an open confession of impotence on the part of those who were responsible for the government of the country.[2] They at last succeeded in quashing the proposal to send up to the King a full statement of the disturbed condition of the country and of this scheme for allaying the public discontent. Sharp wrote in great alarm to Sheldon, the Archbishop of Canterbury, requesting his aid at this juncture in opposing the suggestion of calling a National Synod, and pointing out that a successful rebellion against constituted authority in Scotland might, as in former days, materially assist a like movement in England.[3] Lauderdale was fully aware that the movement, though ostensibly an ecclesiastical one, was promoted by his

[1] Wodrow, *History*, vol. II, p. 300.
[2] *Lauderdale Papers*, vol. III, p. 52.
[3] Wodrow, *History*, vol. II, p. 301.

political opponents, and he was in no dubiety as to the way in which to deal with it. Dissenters would not, he said, obey the decisions of an Episcopal synod, and the orthodox clergy did not need such an institution, as they were or ought to be satisfied with the government established by law. The General Assembly at Glasgow in 1638 was a memorable warning against gatherings of that kind. "I wish," he wrote to Archbishop Leighton, "some may not be intending the same Play over again, but a burn'd child dreads the fire, and upon all those considerations I dare not, I cannot, concurre in the Desires of a Synod at this time, from which I may fear evil, and expect no maner of good".[1] He followed up the refusal by ordering the translation of the Bishop of Dunblane who had persisted in the agitation for a National Synod to the vacant see of Argyll and the Isles, and by removing from Edinburgh and Leith four ministers who had been prominent in the matter. After a time on their expressing due regret for their action, all five were restored to their former places.[2]

[1] *Lauderdale Papers*, vol. III, p. 53.
[2] Wodrow, *History*, vol. II, p. 316: Law, *Memorialls*, p. 84: *Lauderdale Papers*, vol. III, pp. 63, 75.

CHAPTER XI.

Argyll's difficulties with the McLeans of Mull—Failure of attack on Lauderdale —"Letters of Intercommuning"—Sir George Mackenzie becomes Lord Advocate—Sir James Dalrymple and Argyll, spokesmen of the Presbyterian party—Increased activity of extreme party—Imposition of a Bond on landowners—The "Highland Host" brought into the West of Scotland.

About this time the Earl of Argyll found it necessary in order to secure his legal rights to take up arms against one of his Highland neighbours. The incident is interesting as it reveals the fact that at that period the authority of courts of law and of royal warrants was but little recognized in some districts at any rate of that part of Scotland. The Laird of Maclean, whose headquarters were in the island of Mull, had been in debt to the Marquess of Argyll, and the Earl, his son, had sought to recover the money from him. The case came before the Court of Session and decree was obtained ordering payment to be made and lands to be sold, if necessary, to defray the debt. The Laird died, and his brother became guardian of the property in his capacity of Tutor to the new proprietor who was a minor. This man made abundant promises either of assigning portions of the estate to pay the annual interest on the debt or of selling property to clear off the principal, but nothing was done in the way of carrying out these proposals. At last in 1674 the Earl, having the law upon his side and his claims being fully admitted by his debtor, determined to take forcible possession of the

island of Mull. He accordingly raised an army of two thousand men among his own friends, vassals, and tenants and proceeded to exact his rights by open warfare. The Macleans to the number of some seven or eight hundred prepared to offer resistance but were soon reduced to submission. The Earl's forces entered the island at three several places, and his brother, Lord Neil Campbell, who commanded one of the detachments lighted upon the cattle of the islanders which had been collected together in what had been thought a place of security. The seizure of these put an end to resistance. Duart Castle was surrendered to the Earl and a garrison of his men was placed in it. The inhabitants of Mull promised faithfully to meet their obligations and render due submission to their superior, and thereupon he left the island. Next year, however, they refused to implement their promises, and extensive preparations were made on both sides for attack and defence. Argyll was unable to raise so large an army as in the preceding year, but he got the aid of a hundred regular troops and of a hundred militia and succeeded in bringing up his forces to the number of fifteen hundred men. The Macleans got aid from Glengarry and other enemies of the Campbells, and outnumbered their opponents by at least three hundred men. The Earl gave the chief command to his brother, Lord Neil, and late in September of 1675 the latter set out on the expedition. He was, however, less successful than on the former occasion. A terrific storm arose which shattered the vessels in which his men were to have been transported into Mull, and though no lives were lost operations were suspended for a time. So violent was the storm and so opportunely did it occur for the interruption of the invasion that it was widely believed that it had been raised by a witch in Mull who had promised Maclean that while she lived Argyll should not enter the island. The regular troops effected a landing and occupied Duart Castle, and their commander, Captain Crichton, sent word to Argyll of the numbers prepared to resist his attack. As

the latter's forces were too few for the enterprise, he sent word that part of them should be stationed to defend the coast of Lorne from attack and that the rest should be dismissed for the present, and he decided to apply to the Government for aid in the matter. He accordingly proceeded to Edinburgh and brought the affair before the Privy Council, but he met with no support in that quarter. He thereupon went up to London in order to obtain through the help of Lauderdale the aid he needed for suppressing his opponents and getting his rights. Glengarry and other friends of Maclean also proceeded to London to lay before the King their view of matters. After some months' delay the dispute was referred to three members of the Scotch Privy Council for judgement, and in June of 1676 the matter came up for consideration. The Earl charged Maclean with a debt of five hundred thousand marks [over £27,000 Sterling] and complained bitterly of the armed opposition which had been made to the execution of the decrees of the Court of Session. [1] The Privy Councillors endeavoured unsuccessfully to induce the parties to come to some agreement, and another year passed before a decision was given in Argyll's favour. Ultimately he was obliged again to have recourse to military force and received authority to seize the island of Mull with the aid of three companies of regular troops.[2] On November 1st, 1679, the King in a letter to the Privy Council of Scotland declared himself satisfied with the prudence and moderation shewn by Argyll in his dealings with the Macleans, and the care he had taken to keep within the bounds of his commission. [3] The settlement he now effected was final and the island virtually passed into his possession. [4] No one seems to have regarded it as extraordinary that legal decisions should have been so lightly regarded in Mull and the neighbourhood, that the

[1] Law, *Memorialls*, p. 80 : see also *Brit. Mus. Add. Mss.* 23,127, fo. 77 : *Life of Robert Blair*, p. 563 : Fountainhall, *Historical Notices*, vol. I, p. 108.
[2] *Ibid*, vol. I, p. 204.
[3] Wodrow, *History*, vol. III, p. 144.
[4] Law, *Memorialls*, p. 144.

only way a successful litigant could secure his rights was by engaging in civil war, that outside parties should join in the fray either from the love of fighting or because of dislike to one of the combatants, and that the whole storm should settle down without apparently even the suggestion from any quarter that those who had been guilty of treason in resisting the authority of the sovereign should be brought to book. Most grotesque of all is the attempt of members of the Privy Council to bring parties to an agreement when one of them was merely insisting upon rights which law-courts had assigned him, and the other had been guilty of contumacious resistance to judicial authority carried as far as bloodshed. The whole incident reminds one of the condition of matters in Ireland as reported by some of her light-hearted and irresponsible novelists and ballad-writers. [1]

During the course of the year 1675 a second attempt was made by the House of Commons to remove Lauderdale from office and an address similar to that of the previous year was presented to the King. On the former occasion Charles had promised to take the matter into consideration, but had done nothing beyond assuring Lauderdale of his unalterable favour. He was now, however, compelled to vindicate his own action in retaining the services of the minister thus so seriously assailed. With some ingenuity he succeeded in parrying accusations brought against Lauderdale. He declared that an Act of Grace published since the words had been spoken of which the Commons complained—'that royal edicts were equal to laws'—had condoned them, if indeed it were true that these were the words used; and also that the army Lauderdale was accused of levying for the accomplishment of sinister designs had been decided upon in the Parliament of 1663 in which he was not Royal Commissioner. [2] The attack was renewed three

[1] Perhaps some of our readers may remember Lever's ballad, *Larry McHale*. This person's name and procedure bear some resemblance to those of MacLean.

[2] Lingard, *History*, vol. IX, p. 131.

years later but by arduous manipulation the address asking for his dismissal was defeated in the House of Commons by a single vote.[1]

The victory of Lauderdale over his opponents enabled him to deal with increased severity with those who frequented field-conventicles or in other ways resisted the Government. So many and so severe had been the measures framed for suppressing religious non-conformity in Scotland that some may wonder that it was possible to invent a new method of harassing the recusants. Yet this was effected (Mar. 1st, 1676) by means of what were called "Letters of Intercommuning"[2] The writ which bore this mysterious name prohibited all intercourse with persons who had broken the laws against conventicles, and involved those who showed any act of kindness to offenders in the guilt attaching to their offence. Thus to harbour a fugitive, to give him food or drink or in any way to minister to his necessity was made a crime equal to that of the culprit assisted; and the guilt was not lessened if the case were that of a wife harbouring and helping a husband, or a child a father. It may seem to some an aggravation of the infamy of this measure to learn that for the Privy Council to issue it was to usurp the powers proper to the Legislature.[3] A more serious charge against "Letters of Intercommuning" is that they trampled upon all humane instincts and upon Christian precepts of mercy to those in distress. The hearts of those who may have hoped for a reversal of the oppressive policy of the Government must have sunk within them when they read the proclamation containing this cruel enactment, and observed the provisions in it for compelling magistrates to put it into effect and for stimulating informers by giving them large bounties to secure convictions under it. The appointment of a new legal adviser to the Government might

[1] *Lauderdale Papers*, vol. III, p. 137.
[2] Wodrow, *History*, vol. II, p. 318.
[3] J. H. Burton, *History of Scotland*, vol. VII, p. 187.

arouse in some minds a faint hope of a change for the better. How fallacious that was, if it existed, is revealed by the mention of his name.

Sir George Mackenzie, the founder of the Advocates' Library, was appointed Lord Advocate in 1677 and from that time until the Revolution, with the exception of a year in the reign of James II, he held the post in question. His conduct while in office was such as to secure for himself an unenviable reputation and a sobriquet—"The Bloody Mackenzie"—which he will never lose. He was largely responsible for the repressive legislation of his years of office, both as the draughtsman who prepared the laws and as the public prosecutor or informer who secured the conviction of offenders against them. [1] His unremitting zeal, inspired largely by political and religious prejudices, led him not only to browbeat juries who hesitated to bring in verdicts of "guilty", but even to wrest the law in some instances in order to effect his object. [2] He afterwards urged in defence of his conduct that the sufferings of the Presbyterians and the number of those of them who had been pursued to a violent death had been exaggerated. This was probably true, but as one of his critics remarks, "the guilt of innocent blood is not to be measured by its quantity" [3] He also presented the miserable plea that he had been a mere servant of the King and Privy Council and had executed their orders. To this it is enough to reply that he was a voluntary agent, and that the office he held was a lucrative one. His name and Claverhouse's are associated together as those of cruel persecutors : but while zealous attempts have been made to represent the ruthless soldier as a hero, no one as yet, so far as we know, has sought to do the same office for the unscrupulous lawyer. Most readers of *Guy Mannering*, we imagine, have sympathized with

[1] Innes, *Studies in Scottish History*, pp. 96, 98. To the article on Mackenzie in this volume we are deeply indebted.

[2] Our reference is specially to the trial of Mitchell for the attempt to assassinate Archbishop Sharp and to the trial of the Earl of Argyll.

[3] Mackay, *Life of 1st. Viscount Stair*, p. 128.

Colonel Mannering in preferring Dirk Hatteraick to Gilbert Glossin, while detesting them both. A similar feeling, we fancy, is to be found in the public mind in its estimates of Claverhouse and Mackenzie. And yet so far as the latter is concerned, the tragic element in the case is that but for his conduct in serving a cruel and tyrannical Government in its work of oppression his name might have come down as that of a public benefactor, not only for the services which he rendered to the world of letters but also for the reforms he introduced to mitigate the severity of procedure in criminal trials.

He was by no means the sort of man whom one would have expected to take up the rôle of a persecutor. His interest in poetry, his graceful literary style, the vein of sentiment in his nature, and his latitudinarian opinions in matters of religion,[1] all seem out of harmony with such a career. His cardinal error seems to have been in his tenet that personal belief might be suppressed or dissembled at the bidding of authority, and though he stipulated that this was applicable only in the case of articles not absolutely necessary for salvation, the principle he laid down opened up the way for his becoming a persecutor. For while it contemptuously allowed any conscientious convictions to be held in secret, provided that there was outward conformity of worship, it implied that there might be conflict between the requirements of the State and the conscientious convictions of the individual, and that the force upon which the State depends for the maintenance of its authority might be used against those who were obeying the dictates of conscience. In other words, his principle implied that guidance by conscience was a matter to be attended to by the individual soul, but that the State was at liberty to compel outward conformity to certain things, not because they were true, but because they had been commanded, and thus use ecclesiastical laws as an engine of despotism. "He was no bigot," says Dr. A.

[1] Erskine, *Journal*, p. 24.

Taylor Innes in an able and brilliant study of Mackenzie's career; "Better for him almost if he had been. He would at least have escaped the bitter contempt of his own generation for one who made the laws of his country his creed, and the infinite hatred which still pursues the unhappy ghost that sought to force a creedless creed on others."[1] In our own day one can scarcely refer to the subject of religious persecution in the 17th century without being told by some glib and superficial critic that both parties were engaged in it. The assumption is that both were equally guilty—an assumption which renders the fact inexplicable that the struggle resulted in religious liberty being secured for us. It is in our opinion a gross error to condemn those who resisted the policy of the Stewarts and yet were against what they called "the toleration of sects", as being equally at fault with their opponents. Their theories may have been equally intolerant, but their practice was different. For while outward conformity would have satisfied the one, the other was zealous for truth, and was therefore instinctively less thorough-going in the exercise of force which can secure nothing more than outward conformity. The matter has been put with great force by the author whom we have last quoted. "The advantage of the popular [Puritan] party", he says, "seems to me to have been that they and their leaders never, at the worst, admitted any idea of tampering with the sacredness of truth without and of individual conviction within; that even when they pressed hardest, in their dogmatic way, on the individual, they never suggested his coming over to them except by some process of reasoned conviction and of private judgment; and that when they themselves were pressed to conform, sometimes even by enlightened latitudinarians like Sir George Mackenzie, with arguments of torture and death, the flame of loyalty to conscience burned under the pressure only the higher

[1] Innes, *Studies in Scottish History*, p. 107.

Sir James Dalrymple, 1st Viscount Stair.

and the hotter. And so, with all their shortcomings in theory, they saved the future".[1]

For the various repressive measures adopted by the Privy Council for dealing with religious nonconformity the Earl of Argyll must bear his own share of whatever blame may be regarded as attaching to them. But as a mere matter of fact he had had nothing to do with the initial act of injustice which, as Leighton himself admitted, made the subsequent disorders almost incurable ;[2] and all through the reign of Charles II he was regarded as favouring moderate counsels and as being one of those who were willing to give a patient and sympathetic hearing to any reasonable statement of grievances. As early as 1674, Argyll and Sir James Dalrymple, afterwards 1st Viscount Stair, had been spoken of as being those in the Privy Council on whom the Presbyterians depended most.[3] Dalrymple is one of the most interesting personages of the time in which he lived. His great ability, his subtlety of intellect, his ambition and his piety, all combine to form a character which has been very variously estimated ; while his inclination to take a middle course in an age when party feeling ran high secured for him the enmity of both sides ; for, after having shared in the arbitrary government exercised by the Privy Council, he discovered limits beyond which he could not go, and was dismissed from the office he held of President of the Court of Session and forced to take refuge in Holland. The extraordinary and mysterious incidents in his family life together with his own complex personality, attracted Sir Walter Scott and suggested to him the story which he has told in *The Bride of Lammermoor*—a novel in which the reader is in danger of being led by his admiration of the author's splendid genius to share his political

[1] Innes, *Studies in Scottish History*, p. 111.

[2] "That which hath made the wound of our schism almost incurable was the unhappy Act of Glasgow turning out so many ministers at once:" Letter to Lauderdale : *Lauderdale Papers*, vol. III, p. 51. The reference is of course to what had occurred in the Middleton administration in 1662.

[3] Burnet, *History of My Own Times*, vol. I, p. 369.

prejudices which find characteristic expression in it.

Lauderdale, who had no responsibility whatever for the original act of cruelty and injustice which had driven so many of the Presbyterian clergy from their livings, was still willing to come to terms of accommodation with those who had not accepted the two Acts of Indulgence already passed. Both in order to get rid of some of the unpopularity which attached to him, and in order to make his task of governing the country a little easier, he was inclined to this course. By means of Argyll, Dalrymple and others of similar political opinions, he put himself in communication with some of the disaffected party.[1] But the scheme proved abortive. In order that there might be confidence in any Act of Indulgence it had to be ratified by Parliament, for unless this were done, it might be revoked the next day, and Lauderdale dared not summon a Parliament. Those whom he consulted and employed as his intermediaries in the matter undertook to raise £15,000 Sterling for his service, and to secure persons being elected for Parliament who would support his policy,[2] but the experiment was too dangerous for him to try. The one obvious course was to grant liberty of assembling and of worship, such as was now enjoyed by Nonconformists in other parts of the three kingdoms. But this would have meant the total abolition of the oppressive and sanguinary legislation on which the Government had relied since the establishment of Episcopacy. Indeed it might have involved some rough measures of justice being undertaken by the populace, in replacing the "outed" clergy in their livings, and in "rabbling out" those who had been thrust upon the country by a fraudulent manœuvre and maintained in office by violence. One is justified in forming this conjecture by the fact that this rude redressment of ecclesiastical evils ultimately took place, when the hand that had replanted and supported Epis-

[1] Fountainhall, *Observations*, vol. I, p. 117 : Oct. 3rd, 1677.
[2] Fountainhall, *Historical Notices*, vol. I, p. 177.

copacy in Scotland had lost its strength.[1] Much happened in the interval to exasperate public feeling and to explain the sudden and furious rising against the Episcopal clergy in many parts of the country immediately upon the Revolution; but even in 1677 there were indications of popular indignation which may well have convinced the Privy Council that any relaxation of the policy of repression would lead to a general *débâcle*. Thus we find Charles II saying in a proclamation of this date: "Our royal government hath been of late much affronted and the peace of this our ancient kingdom much disquieted, by irregular flocking to field-conventicles, nurseries of rebellion, by withdrawing from public ordinances, invading the persons and pulpits of the orthodox clergy, building of meeting-houses, the killing, wounding, and invading of some that were commanded in our name to repress the said insolences," etc.[2] Even although the statement of matters here given is probably exaggerated, yet there is no doubt that the country was so far disturbed that the Government might well fear that any concessions of the kind above indicated might lead to a demand for the abolition of Episcopacy, and for the redressment of wrongs inflicted on so many of the Presbyterian clergy—wrongs which were explicitly acknowledged by the Government in the Acts of Indulgence which they had promulgated.

Meantime Lauderdale's only alternative was to resort to more violent measures of repression. What he ardently desired was some indication on the part of the disaffected of an inclination to rebel, which would justify his employment of soldiery in crushing them. Yet this was not forthcoming in any definite way, for, though many who attended conventicles bore arms, the knowledge of what penalties open resistance involved and of what widespread measures of repression it would introduce,

[1] Already in 1677 incidents of this kind are reported (*Lauderdale Papers*, vol. III, p. 88).

[2] Wodrow, *History*, vol. II, p. 379.

made men chary of drawing the sword. Some five years before this time when there had been great activity on the part of the authorities against conventicles, Burnet had remonstrated with Lauderdale about the matter. "When," he tells us, "I was once saying to him, [there being war with Holland], was that a time to drive them into rebellion? Yes, said he, would to God they would rebel, that so he might bring over an army of Irish papists to cut all their throats."[1] For about a month at that time he had raved in this manner with such violence that some surgical treatment for himself seemed desirable: but suddenly he regained calmness, probably at some hint from the King that his truculence was ill-timed.

Among the various means of suppressing disorder that which commended itself most to Charles II and to some of his advisers was to require the proprietors of land in the disaffected districts to keep their tenants under control —to hinder, if possible, their disobeying the law, and to secure their punishment in case of disobedience. He declared that nowhere in the world were tenants so completely dependent upon their landlords, and that the latter could easily put down conventicles by delivering those who frequented them into the hands of justice or turning them off their land.[2] The monstrous character of this method of dealing scarcely needs to be pointed out. It gave the task of executive government into the hands of private individuals, and opened up the way for the perpetration of all kinds of oppression under the guise of securing obedience to the law. It sought to turn the nobility and gentry of the country, whatever might be their private opinions as to the matters in dispute, into the drudges of the Privy Council, to do their dirty work, to become spies and informers upon their own tenants, and to work the ruin of those who sought liberty of worship or who were inclined to resent injustice and tyranny. In districts where the population was numerous

[1] *History of My Own Times*, vol. I, p. 341.
[2] *Lauderdale Papers*, vol. III, p. 101.

and resolute in opposition to the Government the task of coercion, which the constituted authority with all its resources had failed to accomplish, was certainly beyond the ability of the landed proprietors, even if they had been willing to undertake it. But they were not willing. "Some", it has been said, "with loud remonstrances against the legality and justice of such a bond—some, with silent and passive but effective resistance—a few only with even a nominal compliance—but all with one heart and mind, either refused to take, or avoided to act upon this infamous engagement." [1]

The policy of Lauderdale, if he had been left to himself, would have been to promulgate a third measure of Indulgence by which to divide the opponents of the Government, and then, we presume, to strain every nerve and use every means at his command to crush the few remaining recusants. But the very mention of another Indulgence threw the Bishops into a panic. [2] They used all their influence at Court against Lauderdale, he being now in Scotland as High Commissioner, they exaggerated the numbers of conventicles and of those attending them, and they dwelt upon the danger arising from the fact that so many of the disaffected came to such meetings armed. In short, they did everything in their power to inflame the anger of the King against those who refused to accept Episcopacy. The greater openness and boldness with which the proscribed worship was carried on, and some isolated cases of violence on the part of the harassed population, [3] either terrified the Bishops into believing that an insurrection was at hand, or were made by them a pretext for urging the Government to employ troops on a large scale for purposes of repression. The upshot of matters was that Lauderdale gave way to the pressure upon him, [4] and authorized the detestable measure of

[1] Argyll, *Scotland As It Was and Is*, p. 225.
[2] Wodrow, *History*, vol II, p. 371.
[3] *Lauderdale Papers*, vol. III, p. 88.
[4] Wodrow, *History*, vol. II, p. 372.

bringing down a large body of Highland troops to live at free quarters in the Western Lowlands where conventicles were numerous and well attended.

It is doubtful to whom the infamy belongs of proposing this plan. It received however, enthusiastic support from the Bishops. The suggestions which they gave for the direction of the troops to be sent into the West may be read in the *Lauderdale Papers*,[1] and we are sure that no severer condemnation of their rule or fuller justification of resistance to it, could be found than in their vile scheme. They advise that a committee of Privy Council whom they name should accompany the troops and be empowered "to fine, confine, imprison and banish" as they find cause. We are glad to say that they do not propose that the Earl of Argyll should be one of this committee. They recommend a seizure of all arms and of all horses suitable for cavalry in the western shires, compensation being of course given for the latter; and advise that "innocent and orderly people" should be encouraged by seeing troops quartered upon the guilty. They urge the destruction of meeting-houses lately erected for Presbyterian worship and the punishment of those who built them, the exaction of fines which would be "smartlie felt by the transgressors," and the infliction of "some notable corporall punishment" on persons who had no money wherewith to pay fines. They are specially eager for the apprehension of certain prominent "outed" ministers whom they name, and in order to secure it, propose that remission of fines and exemption from "quarterings" [of soldiers] should recompense those who should treacherously seize them and deliver them up. They recommend that fines should be applied to the purpose of rewarding those who had been zealous in ruining their Presbyterian neighbours, and that strong garrisons of soldiers should be permanently settled in half a dozen places in the West

[1] Vol. III, p. 95. The document is in the handwriting of Paterson, Bishop of Galloway.

country which they specify. The reconciliation of advice like this with the counsels addressed by St. Paul to Timothy and Titus would be an interesting, though probably somewhat difficult, academical exercise. The document reminds us of Swift's assertion that the English Government of his day were always most careful to appoint men of learning and piety to the charge of Irish dioceses, but that on crossing Hounslow Heath these persons were murdered by highwaymen who thereafter disguised themselves as their victims and proceeded to their dioceses without being detected. From the document above referred to one would almost think that some of Dalziel's troopers were masquerading in Episcopal garb.

The plan of flooding the Western Lowlands with troops was one which commended itself to the ruling authorities. Charles II and the Duke of York, who were maintaining a strenuous conflict with the English Whigs, were glad to have an excuse for keeping an army on foot which might aid their designs against liberty.[1] The needy and unscrupulous nobles who supported Lauderdale eagerly anticipated dividing among themselves the forfeited estates of rebels ;[2] while the Bishops hoped to crush opponents whom they had long despaired of converting. The mode of operations was to require all landed proprietors in the western counties to enter into a bond for themselves, their wives, children, servants, tenants, and all that lived on their estates, that they would not attend conventicles, harbour " vagrant preachers " or forfeited persons, and that they would do their utmost to apprehend those of this class and deliver them up to the authorities. If these obligations were declined by the majority of those concerned, the next step was to declare the country in a state of rebellion and to proceed to hostilities to reduce it to order. The bond lay under many objections

[1] Dalrymple, *Memoirs*, vol. I, p. 194.
[2] Burnet, *History of My Own Times*, vol. I, p. 418 : Wodrow, *History*, vol. II, p. 378.

both legal and moral, but apart from these it was impossible to carry it out in a district where public opinion was strongly hostile to it. By making persons responsible for the action of others who might not even be members of their households, it made it easy for a servant or tenant to ruin his master or landlord. [1]

Several meetings of the nobles and gentry of the West of Scotland were held in which the bond which the Government sought to impose was rejected, even by those who had no other desire than to save their estates from confiscation, and from one of these meetings held at Ayr the plain declaration was sent up to the Privy Council that a better means of settling the peace of the country would be to grant a third Indulgence. [2] Lauderdale, however, would certainly have been at once discarded by Charles if he had accepted this suggestion though it was in accordance with his own predilections, and therefore it fell to the ground. At the end of 1677 letters were written to the Marquess of Atholl and the Earls of Moray, Perth, and Airly, and other Highland nobles, asking them to assemble what forces they could raise, and to be ready to join the regular troops and militia, in order to march into the western counties to disarm the inhabitants and to compel them to take the bond. [3] The pretext was that "the phanaticks" in the West were likely to rise in arms. "How soone," wrote Lauderdale to Danby, "they may take armes no man can tell; for, as I have often said, they are perfitely fifth monarchye men, and no judgment can be made upon the grounde of reason what they may attempt; and therefor all preparations possible are to be made in case they rise, for this game is not to be played by halfes, we must take this opportunity to crush them, so as they may not trouble us any more in hast." [4] Preparations were made at his request for transporting,

[1] Wodrow, *History*, vol. II, p. 393n: Burnet, *History of My Own Times*, vol. I, p. 418.
[2] Kirkton, *History*, p. 377: Law, *Memorialls*, p. 136.
[3] Wodrow, *History*, vol. II, p. 383.
[4] *Lauderdale Papers*, vol. III, p. 89.

in case of need, troops under Lord Granard from the North of Ireland and for bringing militia foot-soldiers and some troops of the guards across the border out of Northumberland.

On January 24th, 1678, the Highland Host assembled at Stirling and were about six thousand in number. Wodrow says that they were "the very scum of that uncivilized country" commanded by Earls and chieftains as Colonels and Captains. [1] As one and all were attracted by the hope of plunder it is probable that the historian's epithet is an exact description of most of the officers and men. There is no reason to believe that Argyll was omitted from the list of those who were invited to assist the Government in this matter. He certainly, however, took no part in the proceedings, and contributed no forces to the army now on foot. His abstention brought him under a certain measure of suspicion with the Government, as indicating some sympathy with the disaffected class, but for the present no open indication of displeasure with him was given. His difficulties with the Macleans of Mull, to which we have already referred, still engaged his attention, but do not account for the fact that he took no part in the invasion of the western counties; for Burnet distinctly informs us that his withholding his aid was a deliberate indication of his disapproval of Lauderdale's policy. [2]

The riotous insolence of the Highland troops, so much dreaded by those against whom they might be sent, began at Stirling, the place of rendezvous; for more than once they set parts of the town on fire. After a brief delay there they proceeded to Glasgow, where they were joined by about a thousand foot of regular troops, two thousand two hundred militia from Angus and Perthshire, together with a hundred and sixty horse-guards and five other troops of cavalry. These along with the usual following of stragglers and hangers-on brought up the number of the

[1] *History*, vol. II, p. 388.
[2] *History of My Own Times*, vol. I, p. 419.

invaders to about ten thousand men. They brought with them four field-pieces, a great store of ammunition and all the apparatus needed for attacking fortified places. With these elaborate preparations for a campaign they marched into a country which was in profound peace. No enemy appeared to confront them. They were accompanied, as the Bishops had suggested, by a committee of the Privy Council who instructed them what to do. From the time that they left Stirling they conducted themselves as if they were in an enemy's country, living at free quarters, robbing right and left, and indulging in all kinds of outrage, short of murder. The counties of Lanark, Renfrew and Ayr were the scene of their operations. Fife, in which there were many sturdy Covenanters and haunters of conventicles, would have been included in the list but for the action of the principal land-owners in accepting the bond. Under the orders of the Privy Council the Highland troops disarmed the population, seized all horses of any value, and endeavoured to compel all classes to take the bond. In this last item of their programme they were singularly unsuccessful ; for a steady resistance was offered by the leading gentry and others. Even in cases where the bond was taken, parties fared almost as badly as if they had rejected it ; for the greedy marauders were not inclined to be balked of their prey.[1] The rage of Lauderdale, when he heard that the attempt to compel acceptance of the bond had been largely in vain, was indescribable. At a meeting of the Privy Council, he conducted himself like a madman, baring his arms above the elbows and swearing by the ineffable name of God that he would force the recusants to give way.[2]

Those who have desired to minimize the horrors of this campaign have been careful to mention that no deaths were inflicted by the troops.[3] But the statement

[1] Wodrow, *History*, vol. II, pp. 382, 410 : Kirkton, *History*, p. 389.
[2] Burnet, *History of My Own Times*, vol. I, p. 418.
[3] Grub, *Ecclesiastical History of Scotland*, vol. III, p. 253 : Kirkton, *History*,

is misleading. Deaths are recorded as having occurred from terror caused by their menaces and by ill-treatment.[1] People were wounded and mutilated without the least shadow of provocation, plundered of their property, and subjected to all manner of insolent affronts. The soldiers robbed travellers on the highroads, pillaged houses of everything valuable in them, tortured men to make them reveal where they had hid their money and goods, slaughtered cattle in mere wantonness, and extorted money by threatening to set the houses of their victims on fire.[2] The damage they did in the three districts of Ayr known as Kyle, Cunningham and Carrick, was assessed at £137,000 Sterling[3]—an enormous sum in those days, and this was only of course part of their work of depredation. One is amazed at the fact that the population of the western counties did not rise as their oppressors were desirous for them to do. Their patience under such ill-treatment was wonderful. The knot of ruffians who drew lots among themselves for estates that would likely be confiscated for rebellion were doomed to disappointment. "Great joy," says Burnet, "appeared in their looks upon a false alarm that was brought them of an insurrection ; and they were as much dejected when they knew it was false".[4] Some few of the commanders of the Highland Host were ashamed of the conduct of their soldiers and endeavoured to improve matters, but they were out-voted by their colleagues, and, indeed, they could not secure obedience from their men.[5] After four or five weeks the great bulk of the Highland troops were withdrawn. They returned home through Stirling laden with plunder, as though they were coming from the sack of captured

p. 391n. Grub is not ashamed to say that the Covenanters "were more frightened than seriously ill-treated."

[1] Wodrow, *History*, vol. II, pp. 429, 431.
[2] *Ibid*, p. 422.
[3] Argyll, *Scotland As It Was and Is*, p. 226.
[4] *History of My Own Times*, vol. I, p. 418.
[5] Wodrow, *History*, vol. II, p. 423.

cities. Some of the common soldiers carried their booty in the form of household utensils and articles of clothing : those of higher rank brought back large quantities of money in bags as their share of the spoil.[1] Five hundred Highlanders remained on until the end of April and then were dismissed.[2]

[1] Wodrow, *History* vol. II, p. 413 : Kirkton, *History*, p. 391 : Law, *Memorialls*, p. 137.
[2] *Lauderdale Papers*, vol. III, p. 112 : Wodrow, *History*, vol. II, p. 412.

CHAPTER XII.

"Bonds of law-borrows"—Appeal from Scotch nation to Charles II—Meeting of Convention of Estates—Lauderdale supported by the King—The Popish Plot—Recrudescence of rebellion in Scotland—Assassination of Sharp—Claverhouse employed against insurgents—Demonstration at Rutherglen—Battle of Drumclog—Argyll summoned to support the Government—Monmouth sent down into Scotland—Battle of Bothwell Bridge.

Another of the means by which the authorities in Scotland endeavoured at this time to compel obedience to the law was by imposition of "bonds of law-borrows", an old legal process similar to the English provision for binding a person over to keep the peace. According to it the complainer had to swear that he dreaded bodily harm and molestation, and required protection against the person complained of. The employment of this process in the present instance was both ludicrous and oppressive. By it the King was made to declare that he was in dread of his subjects and to appeal to his own Privy Council for protection against them. It also implied that attending a religious service prohibited by the law was a breach of the peace, and, as in the case of the bond already mentioned, so in this, a man was made responsible for the actions of members of his family and for those of servants employed by him. [1] Such an enactment, we need scarcely remind our readers, violated one of the main principles of all laws, Divine

[1] Wodrow, *History*, vol. II, p. 400.

and human. Many other absurdities were connected with the measure, and so great was the outcry against it that it was soon dropped. The only conceivable reason for its having been introduced was that it was very simple in its operation, and that it was therefore expected that it would be more effective than other legal processes of a more elaborate character. Sir George Mackenzie, who has the discredit of introducing it, attempts a defence of it in his *Vindication of the Government of Charles II.* [1] No one need be surprised at his failing to see the grotesque character of this perversion of legal methods, for a sense of humour is always denied to the pettifogger.

It was not to be expected that proceedings like these could pass unchallenged by those who still had a spark of patriotism or a sense of shame within their souls. A strongly worded protest against them was sent up to the King by the Earl of Cassilis, and, immediately afterwards, the Duke of Hamilton with about ten or twelve of the nobility and some fifty "gentlemen of quality" rode up to London to lay before the King their complaints against Lauderdale. Charles had already formed his own opinion regarding the matter, and it was favourable to all that Lauderdale and the Privy Council had ordered to be done. He declared that "as he was a Christian he did not see what else could be done, to prevent open rebellion" [2]—a form of adjuration which some may think avoided any risk of forswearing. "For", as Touchstone says, "if you swear by that that is not, you are not forsworn." The Scotch Privy Council had forbidden this deputation to leave Scotland, but in vain; for those concerned regarded access to the Sovereign as an inalienable right, and considered that the proclamation which forbade it was a serious addition to their grievances. Charles would willingly have compelled the deputation to return to Scotland without hearing their complaints, but he was unable either to silence or to dismiss them. The

[1] *Works*, vol. I, p. 161.
[2] *Lauderdale Papers*, vol. III, p. 100.

only result of the deputation was that the Opposition in the House of Commons was stirred up to a second great attack upon Lauderdale for "giving pernicious counsels to the King, dishonourable and destructive to the nation."[1] This attack was defeated by a single vote. Charles showed his contempt for the proceedings by writing to his faithful servant in affectionate terms. "I am extreamly well satisfied," he said, "with what you have done and the manner of it ..... I am so sensible of the services you have done me there [in Scotland] that you neede not in the least feare your enemies shall have more creditt with me to your prejudice then [than] they have hitherto had, but that you shall always finde me your true friende".[2] With the alertness of a skilled politician Lauderdale took advantage of the absence from Scotland of so many of his rivals and enemies to hold a Convention of Estates, which he succeeded in packing with his own supporters. This servile body voted an assessment for three years to enable the King to maintain a larger military force in Scotland, and wrote a letter to him not only justifying but highly commending the government of Lauderdale.[3]

A year later the charges against Lauderdale were formally debated upon in the King's presence—his bringing in the Highland Host, their living at free quarters, the bond for making land-owners and masters responsible for their tenants and servants, and other of his more than questionable proceedings. The King declared himself in favour of his minister, and wrote to the Privy Council, to the Lords of Session, and to the Lords of Justiciary, to express his satisfaction in all points with the administration of Scotch affairs.[4] In private conversation he admitted that there had been ground for many of the complaints,

[1] *Lauderdale Papers*, vol. III, p. 134.
[2] *Ibid*, p. 159.
[3] Mackay, *Life of 1st. Viscount Stair*, p. 138 : Burnet, *History of My Own Times*, vol. I, p. 421 : Law, *Memorialls*, p. 138.
[4] Wodrow, *History*, vol. III, p. 168 : Somers, *Tracts*, vol. VII, p. 200 : Law, *Memorialls*, p. 163.

but the zeal with which Lauderdale had exalted the royal prerogative covered all faults. "They have objected," he said, "many damned things that he has done against them, but there was nothing objected that was against my service." [1] The remark was naïf, but it expressed a true principle; for when the interests of Kings are separated from those of their subjects they can only be supported by proceedings of the kind so forcibly described by Charles. William of Orange was lacking in many of the brilliant qualities which Charles II possessed, but the noble words which he uttered on accepting the Crown of Scotland form a very welcome contrast to those which we have just quoted. "We shall never," he said, "believe that the true interests of the people and the Crown can be opposite, and shall always count that our greatest prerogative to enact such laws as may promote truth, peace and wealth in our kingdoms." [2]

As we have already mentioned, the Earl of Argyll was closely connected with Lauderdale by private friendship and mutual obligations, and also by family ties. These last had been considerably strengthened during the year 1678 by a double marriage between the families. Lauderdale's step-daughter, Elizabeth Tollemache, married the Earl's eldest son, Lord Lorne, on Mar. 12th. of this year, and in the following July, the Earl's daughter, Lady Anne Campbell, married Lauderdale's nephew, who afterwards succeeded to his earldom. [3] The fact of this intimate relationship between the two families explains why Argyll abstained from taking any part in the proceedings against Lauderdale. There can be no doubt, however, that his views with regard to the main grievances complained of were largely in accordance with those of the Opposition. This was certainly the reason why Argyll held none of those great offices of state to which by his

[1] Burnet, *History of My Own Times*, vol. I, p. 470.
[2] Quoted in Mackay, *Life of 1st. Viscount Stair*, p. 186.
[3] Wodrow, *History*, vol. II, p. 348: *Letters from the Earl of Argyll*, p. 35: Brodie, *Diary*, pp. 393, 398. The last named author notes that the old Marchioness of Argyll died the day after the marriage of her grandson, Lord Lorne.

rank and consequence he was naturally entitled. There was no disguise with regard to his political opinions and attitude. For years past, as we have pointed out, he was one of the few members of the Privy Council who were willing to give a fair and sympathetic hearing to any reasonable statement of grievances; while his recent abstention from supplying troops to assist in overawing the Western counties had been understood as indicating his disapproval of that measure. It cannot, therefore, be said that at this crisis of his nation's history he was unfaithful to the cause of liberty, though his personal relations with the representative of Charles II in Scotland precluded his taking a prominent part in resisting him. In the Convention of Estates he had found it his duty to support Lauderdale against the opposition of the Duke of Hamilton, but, as this was on a technical question with regard to methods of transacting business, no infringement of popular rights and liberties was involved in it. [1] The time was rapidly approaching when Argyll would be openly assailed as the champion of Protestantism and of constitutional government, and when that time came he was not found wanting.

Yet though Lauderdale had triumphed over opponents both in the House of Commons and in Scotland, power soon began to slip from his hands. His mental faculties and especially his memory began to be shaken by advance of age, and bodily ailments enfeebled him; [2] so that though the King strove to hearten him by thanks for his past services and assurances of his unalterable favour, the fact that his "worldly task" was almost done could not be concealed from either of them. Yet even if Lauderdale had been in the full possession of his powers he might well have despaired of weathering the new storm which suddenly sprang up from an unexpected

[1] *Lauderdale Papers*, vol. III, p. 157.

[2] *Camden Miscellany*, vol. XI, contains several references by Burnet to this fact. See pp. 14, 15, 17 & 19. In the last of these he says: "The Duke of Lauderdale continues ill, some think it a flying gout, others a Dropsy, he flies out often into such indecent fits of rage that some think his head is affected."

quarter. For in the autumn of 1678 the revelations of Titus Oates with regard to the Popish Plot caused a panic in England which resulted in sweeping political changes, and gave the ascendancy to the party which for years had been demanding the dismissal of Lauderdale. Monstrous as were many of the assertions of Oates and his fellow-informers, the fact was undeniable that Charles II had actually plotted with Louis XIV for the ruin of English freedom and of English religion. The Duke of York was forced to retire to the Continent, Danby was committed to the Tower, the Cavalier Parliament which had continued since 1661 was dissolved, and power passed for a time into the hands of Shaftesbury and of the Whig party. These changes weakened Lauderdale's position very considerably,[1] though he still retained office in consequence of the royal favour for him, and also of the fact that the attention of the English Whigs was fully occupied by an attempt to exclude the Duke of York from the Throne.

The overturn in England revived the fainting spirits of Lauderdale's political opponents in Scotland whom he had hitherto been able to baffle and defeat ; and it also encouraged those who were addicted to field-conventicles to active resistance of the Government which was now, in their opinion, unlikely to get much aid from England in maintaining a repressive policy.[2] Shaftesbury had already had some correspondence with the discontented party in Scotland, and he had used his influence in favour of Lauderdale's rivals and enemies there ; and though there is no evidence of any direct communication between him and those now likely to take up arms in that country, his open language in Parliament was calculated to encourage them. In a strong and rousing speech in the House of Lords on March 25th he had discoursed on the dangers which threatened Protestantism, and on the misgovernment of Scotland. Popery, he declared,

[1] Wodrow, *History*, vol. III, p. 27.
[2] Burnet, *History of My Own Times*, vol. I, p. 470.

was intended to precede slavery in England, and slavery had been the forerunner of Popery in Scotland. The next post carried north to Edinburgh forty written copies of this speech, and there can be no doubt that these helped to pave the way for the approaching insurrection. [1]

The first serious outbreak was at Lesmahagow in Clydesdale, on Sunday, March 30th, 1679. On this day the commander of the troops stationed at Lanark heard that a conventicle was to be held at the place mentioned. He despatched a party of twenty dragoons under a Lieutenant Dalziel to disperse the meeting. On their proceeding to the place they found themselves confronted by about three hundred foot and some sixty horse, all fairly well armed and prepared for conflict. A sharp encounter took place in which the Lieutenant was mortally wounded and taken prisoner along with seven of his dragoons. When the conventicle was over the prisoners were dismissed, though their arms and horses were retained. The incident revealed the change of mood of some, at any rate, of the Nonconformist party in Scotland, and boded ill for the peace of the realm. [2]

A month later the fury which misgovernment and oppression had produced in the minds of many found dreadful expression in the assassination of Archbishop Sharp. The Primate had recently excited widespread indignation and disgust on account of the treatment meted out to the James Mitchell who had attempted his assassination ten years before. This man had been executed for the crime in the beginning of 1678, although the only evidence against him was his own admission of guilt made on receiving an assurance from the Privy Council that his life would be spared. The odium which this justly excited rested principally upon Sharp who is said to have

[1] Dalrymple, *Memoirs*, vol. I, p. 50: Norht, *Examen*, p. 86: Christie, *Life of Shaftesbury*, vol. II, p. 321.
[2] *Lauderdale Papers*, vol. III, p. 162.

been strenuously opposed to a reprieve.[1] The story of the Archbishop's death is well known. A band of fanatics, who were assembled in arms to waylay a miscreant who had been guilty of great cruelty in suppressing conventicles, were informed that the coach, in which Sharp and his daughter were returning from Edinburgh to St. Andrews, was near at hand. They at once resolved to cut him off as one who had betrayed the Church, and dipped his hands in the blood of saints. They overtook his carriage at Magus Muir a couple of miles from St. Andrews, dragged him out of it and, in spite of his own and his daughter's entreaties, slew him with their swords. Nothing relieves the horror of the deed. Had the unfortunate Archbishop manifested any dignity or serenity in the presence of death we might have thought of him as a martyr. But one is humiliated to read of his agony and shrieks, and of his promising money and even offering to resign the episcopal office if only his assailants would permit him to live.[2] So vile was the deed that one has scarcely patience to reflect that it sprang from a fanaticism which Sharp himself had done much to create and intensify. And so one of the most notable historical personages of that time was thrust off the stage on which he had played so ambiguous a part. We leave to one of his own Church the task of saying what can be said in favour of his private character, and of expressing the blame which attaches to his public actions. "He was," says Dr. Grub, "temperate and upright in private life, liberal in his charities and exemplary in the performance of his ordinary duties. He made no attempt to conciliate the enemies of the hierarchy by kindness or moderation; and, while he refused to join with some of his brethren in the promotion of the reforms which the Church stood so much in need of, he, almost alone of their

[1] Burnet, *History of My Own Times*, vol. I, p. 416 : Fountainhall, *Historical Notices*, vol. I, p. 182.

[2] Wodrow, *History*, vol. III, p. 44 : Law, *Memorialls*, p. 147 : Burnet, *History of My Own Times*, vol. I, p. 471 : Foxcroft, *Supplement to Burnet*, p. 103 : Kirkton, *History*, p. 417.

John Graham of Claverhouse.

number, took a prominent part in the enactment and execution of those cruel laws, by which an arbitrary government attempted to suppress all resistance to established authority".[1]

At this time a new figure becomes prominent in public life in Scotland and recalls in many respects the meteoric splendour of the career of Montrose which will never, we suppose, lose its power to fascinate certain types of mind. John Graham of Claverhouse, like the Marquess, was distinguished by a handsome presence and a graceful manner, while as soldiers both were remarkable for the rapidity and decisiveness with which they executed their military plans. Both fought to support the House of Stewart and both were cut off in the flower of their age ; and over both their reputations battles have been fought and probably will long continue to be fought by partizans of the causes for and against which they strove. Yet striking as are the resemblances between Montrose and Claverhouse, the differences between them are considerable. Montrose was a man of ideas who fought for what seemed to him the cause of liberty and order, first against Charles I and afterwards for him ; while Claverhouse's political principles are summed up in his own declaration : "In any service I have been in, I never enquired further in the laws than the orders of my superior officers."[2] This plain and candid avowal delivers us from the need of devoting much space to an estimation of the character and proceedings of the speaker. If military operations are to be successful there must be this spirit of subordination to superiors, so that no special heroism is implied in a man's thus recognizing the fact that it is his duty to be a tool in another's hand. That Claverhouse did his bloody work well and with a zest we are quite willing to believe, and we also admit that the terror he inspired prevented to a considerable extent the flames of rebellion

[1] *Ecclesiastical History of Scotland*, vol. III, p. 258.
[2] *The Despot's Champion*, p. 16.

from spreading over the country. So far as the military executions he ordered and carried out are concerned, they are not numerous. They were, we suppose, covered by his commissions as a military officer and as Sheriff-depute, and probably were considered by him as merciful in the sense of hindering the need for a greater sacrifice of human life. But we consider that there were deeds perpetrated by him which amply prove that beneath that polished exterior lay a brutal nature and a hard heart. What but these can explain such dreadful actions as blindfolding men, and ordering soldiers to shoot over their heads or to fire blank charges, and then, when their nerves were shattered and they were almost in death-agony, to attempt to extort confessions from them? Or his using similar means to compel children to give information about their parents who might be under suspicion?[1] Actions like these and many other deeds of cruelty have stained his name, and as long as this record against him remains unshaken, all attempts to glorify him will seem to every healthy mind an insolent outrage upon public feeling.

Claverhouse was now about thirty-three years of age. He had served for some time in the French army and had then entered the service of William of Orange, and taken part in the furious battle of Senef at which the latter was worsted by the Great Condé. When peace was in prospect he returned to his native land. In 1678 he was appointed commander of a newly levied troop of horse which, together with a troop of dragoons which had served under Dalziel, was the first nucleus of the regiment afterwards known as the Scots Greys.[2] Soon after receiving this command he was busily engaged in Dumfriesshire and Annandale in endeavouring to suppress conventicles. A few weeks after the assassination of Sharp he proceeded to Glasgow in order to take his part in overawing the Western Whigs who were likely to break out into open rebellion. He had not long to wait

[1] Wodrow, *History*, vol. IV, p. 256 : *The Despot's Champion*, pp. 173, 194.
[2] *Ibid*, p. 24.

for this occurrence. May 29th had been imposed on Scotland as a day of thanksgiving in memory of Charles II's restoration. On this day a band of about eighty armed men, headed by a minister, Mr. Thomas Douglas, and a Robert Hamilton, rode into Rutherglen, two miles from Glasgow and extinguished the bonfires which had been lit as a mark of public joy. They then proceeded to burn copies of the Acts of Parliament to which they objected, from the Act Rescissory downward, as a protest against the policy of the Government for the past eighteen years—a protest that would have been made in Glasgow but for the presence there of military forces. [1]

Two days later Claverhouse sallied out to arrest persons who had been concerned in this bold deed of defiance, and he found himself early on the Sunday morning following (June 1st) at Strathaven, sixteen miles from Glasgow, in charge of a number of prisoners. He was on his way to the latter city and thought he might make "a little tour" to see if he could light upon a conventicle: "which we did," he remarks, "litle to our advantedge." Near the farm of Drumclog he came in sight of the enemy occupying ground amply defended by marshes. The conventicle consisted altogether of men—the women and children having been sent away—and there was every sign that they were prepared for conflict. Claverhouse reckoned them as consisting of four battalions of foot armed with fusils and pitch forks, and three squadrons of horse. How many these amounted to is uncertain. [2] He himself seems to have been accompanied by about one hundred and fifty horse. Some of the estimates of numbers on the other side certainly include persons who were non-combatants, but the probability is that the effective military force opposed to that of Claverhouse was not less than fifty horse and two hundred foot. Both of those who had headed the demonstration at Rutherglen on the previous week were at this conventicle, and along

[1] Wodrow, *History*, vol. III, p. 67: Law, *Memorialls*, p. 149.
[2] *Lauderdale Papers*, vol. III, p. 164.

with them were four of the assassins of Archbishop Sharp. Mr. Douglas had begun Divine service, but the tidings that Claverhouse was advancing upon them and had prisoners with him interrupted worship. The Covenanters' forces were hastily marshalled and directed by Robert Hamilton and a William Cleland. The latter was a brave and accomplished youth who afterwards rose to fame at the time of the Revolution in consequence of the brilliant victory in which he fell at Dunkeld. Claverhouse seems to have sent forward a flag of truce with an offer of pardon if the enemy would lay down their arms and give up their ringleaders. The story goes that they replied that they would lay down their arms to treat, provided that he and his men would do the same. [1] This being out of the question, a battle was inevitable. Both parties threw out skirmishers, and on those of the Covenanters being driven back, a battalion of their foot was sent to support them. These were in their turn attacked and forced back by sixty of Claverhouse's dragoons. Upon this the whole Covenanting forces, horse and foot, advanced against the enemy, making their way across the marshy ground. As they descended to the encounter they sang the 76th Psalm—"that noble outburst of triumph which celebrated the overthrow of Sennacherib and his host :—

"There arrows of the bow He brake,
The shield, the sword, the war.
More glorious Thou than hills of prey,
More excellent art far.

Those that were stout of heart were spoiled,
They slept their sleep outright;
And none of those their hands did find,
That were the men of might." [2]

[1] Terry, *John Graham of Claverhouse*, p. 54n.
[2] Ker, *The Psalms in History and Biography*, p. 104. The tune to which the psalm was sung was the plaintive *Martyrs*.

The largest body of the Covenanting foot bore down upon the troop commanded by Claverhouse himself. When they were within ten paces of them the royal troops fired and several of their opponents fell, but they themselves suffered more severely from the enemies' marksmen, who brought down two of their officers. At the same time Claverhouse's horse was horribly wounded in the belly by a thrust of a pitch-fork. The imminent danger in which their commander was placed created a panic among the soldiers. They were so discouraged, we are told, that they "sustined not the shok, but fell into disorder."[1] In an instant the enemies' horse charged them, and pursued them so hotly that they got no time to rally. Claverhouse lost about forty men, but succeeded in saving the colours. As he rode away, Mr. King, one of the prisoners who had been rescued, called to him to stay for the afternoon preaching—a piece of grim humour which a modern reader will probably enjoy more than he did.[2] His brave horse was able to carry him a mile off the field and he then met his groom with some led horses and mounted one of them. The loss on the side of the Covenanters was but slight. As Claverhouse and his men passed through Strathaven an attempt was made to cut off their retreat, but they succeeded in foiling it after a fierce skirmish. "What these rogues will doe next I know not," he wrote that evening from Glasgow to the Commander-in-Chief, the Earl of Linlithgow, "but the country was floking to them from all hands. This may be counted the beginning of the rebellion in my opinion." Some of Claverhouse's admirers have spoken highly of his military ability. His knowledge of the art of war may have been awful in its profundity, but he certainly displayed very little of it during this reign. He was of course an exceedingly useful servant of the Government but it was in the way of capturing preachers, terrifying

[1] *Lauderdale Papers*, vol. III, p. 165 : *Memoirs of Captain Creichton*, p. 126.
[2] *The Despot's Champion*, p. 47.

women and hunting down fugitives.[1] We are informed by Claverhouse's latest biographer that in spite of his being a persecutor, he had "the instincts and training of a gentleman."[2] If this be true, much of the work in which he was engaged must have been very distasteful to him. Perhaps he found some compensation for his discomfort in the gift of that estate in Wigtonshire, which, the same authority tells us, was "of not inconsiderable value," and which had been forfeited by one of the class whom he had been engaged in harrying.[3]

Many of our readers will probably have derived all they know of the Battle of Drumclog from Scott's *Old Mortality*. We should like to point out that the narrative of it there, though brilliant in the extreme, contains one instance of deliberate falsification of history. Claverhouse, as we have said, sent an officer with a flag to demand a parley before the fight began; but there is no evidence that the envoy was, as stated in the novel, treacherously shot while thus engaged. To attribute as Scott does to Balfour of Burley, a historical personage, such an atrocious crime without any foundation in fact is utterly shameful. Romancers have of course to be allowed certain freedom when they weave together fact and imagination in historical novels, but they are still subject to the code which forbids bearing false witness against one's neighbour. For our own part we frankly confess a strong distaste for this particular novel, though it is one of the most vivid and wonderful of the series in which it appears, not only because of the kind of fault to which we have just alluded, but also because of the use made in it of Holy Writ. To search the Scriptures to find passages to be put into the mouths of Covenanters and to be used by them in a grotesque manner is closely akin to profanity, and at times the results of

[1] Wodrow, *History*, vol. III, p. 61 *et passim*: Terry, *John Graham of Claverhouse*, pp. 43, 51, 84, *et passim*.
[2] *Ibid*, p. 201n.
[3] *Ibid*, p. 96: *The Despot's Champion*, p. 102.

the misdirected labour form rather painful reading. [1]

Had the insurgents been acting according to any concerted plan, they would have followed up their victory by marching upon Glasgow at once, and the probability is that they would have been able with the aid of those who would have joined them on the road, to force the royal troops to retire from the city. Instead of doing this they returned to Drumclog after pursuing their enemies for a few miles ; and when next day they proceeded to Glasgow, they found the streets barricaded and lined with musketeers and dragoons. After being repulsed with pretty heavy loss, they fell back upon Hamilton. As, however, they were joined by considerable numbers of recruits, the military authorities were afraid of a second assault on the city, and accordingly, on the instructions of the Earl of Linlithgow, the troops in Glasgow proceeded to Falkirk to join those which had been sent westward from Edinburgh. The Commander-in-Chief was desirous to return to Glasgow with the united forces, some eighteen hundred foot and horse, before the rebels could enter it ; but, as he was informed by scouts that the latter had taken possession of the city and were at least seven thousand in number, he judged it more prudent to proceed to Stirling, where he hoped to be reinforced by troops from the North. [2]

In the meantime the Privy Council called out the militia in the east and south of Scotland and appointed the places of rendezvous to be Stirling and the Links of Leith respectively. In addition to this the Earl of Argyll and the Earl of Caithness were called upon to assist in suppressing the rebellion, so that virtually from all parts of Scotland aid was summoned against the rebels. The Earl of Argyll was at this time employed in dealing with disorder in the Highlands. Before he

[1] An illustration of this is to be found in the use of the very solemn words of S. Matt. X, 33, in the conversation between Mause Headrigg and her son (chap. VIII).

[2] *Lauderdale Papers*, vol. III, p. 169 : Wodrow, *History*, vol. III, p. 83.

had fully succeeded in the task we have already described of maintaining his rights in the island of Mull, a fresh commission was given him. In consequence of the Popish Plot it had been decided to disarm all Papists, and instructions had been sent by the Privy Council to Macdonalds and MacLeans who were suspected of Popery to give up their arms and to report themselves in Edinburgh. It is needless to say that these instructions were disobeyed. Accordingly on April 12th the Earl of Argyll was commissioned to disarm and reduce these recusants and any others who might be under like suspicion.[1] As this undertaking was of a very arduous nature, we are not surprised to find the Earl writing six weeks later, asking for the aid of some of the regular forces to enable him to carry it out. The Privy Council replied by declaring that in the meantime, owing to the disorder which had broken out in the Lowlands, they could not spare soldiers for the purpose ; but they instructed the Sheriffs of Dumbarton and Bute to assist him, and on hearing that several persons in Inverness-shire had joined the rebels, they issued a proclamation against them. As a more definite means of supporting him in his enterprise they sent him "twelve hundredweight of powder and ball proportionable," and ordered the Earl of Caithness and the Sheriffs of Inverness to join him in "repressing those rebel papists," and to take with them forty days' provisions.[2]

But immediately after these instructions had been issued the battle at Drumclog took place, and the western Lowlands were in a flame, and, as we have said both Argyll and Caithness were recalled to assist in dealing with the more serious rebellion. The letter to Argyll was of a specially peremptory character. He was ordered to disentangle himself as soon as possible from his present engagements, and to repair to the camp of the Earl of Linlithgow, the Commander-in-Chief, with all the forces

[1] *Lauderdale Papers*, vol. III, p. 39.
[2] Wodrow, *History*, vol. III, p. 61.

he could raise. "We doubt not," said Argyll's "affectionate friends", as the Council subscribed themselves, "of your lordship's readiness, upon all occasions to give commendable proofs of your loyalty and duty to his sacred majesty, and you cannot give a more signal testimony thereof, and of your zeal for the peace and happiness of this kingdom, than by a seasonable assistance against these rebels, and so we cannot but expect a cheerful and ready compliance from your lordship with so just and necessary a desire." [1]

It is quite possible, as has been suggested, that this letter betrays some suspicion as to Argyll's intentions at this time. [2] For though the insurgents belonged principally to the extreme Presbyterian party who had refused to accept the Acts of Indulgence and were virtually outlaws, yet they had the sympathy of many of the more moderate party who had come to terms with the Government and who had for years looked to Argyll as their friend and advocate in the Privy Council. The Earl's abstention in the previous year from having anything to do with the quartering of Highland troops in the western counties might easily be interpreted as prompted by sympathy with the disaffection, which had now culminated in rebellion. Confirmation of the above suggestion seems to be given by the fact that a number of the Privy Council were in favour of cancelling the commission lately given to Argyll to secure the Highlands. A petition was received from the Macdonalds and Mac-Leans who were now in arms, asking to be allowed to assist in "avenging the king of his enemies", and requesting that Argyll might in the meantime be commanded to desist from attacking them. A number of the Privy Council were in favour of granting the petition, and of employing against the western insurgents those whom they had branded a few weeks before as "rebel Papists", and whose continuance in arms was open

[1] Wodrow, *History*, vol. III, p. 84.
[2] *D. N. B.*, vol. VIII, p. 334.

treason ; but the violation of law which would have been involved in so doing was too serious to be incurred.[1] The mere fact, however, that so much favour was shown by members of the Privy Council to those who were Argyll's bitterest enemies and with whom he was now in open conflict, implied that he himself was in a very dangerous position, and would be openly assailed on the first convenient opportunity. In the meantime the rebellion in the west country was suppressed before Argyll could take any steps in carrying out the instructions of the Privy Council.

Though Shaftesbury's faction cannot be proved to have directly prompted the present outbreak in Scotland, their position was strengthened by it. Shaftesbury was now President of the Council which Sir William Temple had devised as a moderating party between the King's ministers and the Parliament, and without whose consent Charles had promised to do nothing. The latter at once realized the serious condition of matters in Scotland but his hands were tied. The English Whigs were not willing to allow the Scotch Covenanters to be suppressed by English troops, in view of the fact that the contest in Scotland was very similar to that which they themselves were waging in England, and that now, as in the reign of Charles I, rebellion in the northern part of the island might aid the cause of freedom in the southern. Shaftesbury would willingly have solved the present difficulty by displacing Lauderdale, and by giving the control of matters in Scotland into the hands of some of that statesman's rivals conjointly with the Duke of Monmouth. Others favoured a similar scheme with the omission of Monmouth who was at this time a tool of Shaftesbury. Charles II and his Privy Council in Edinburgh simply wished sufficient troops to be sent north to stamp out the rebellion and to maintain the *status quo*.[2] Shaftesbury raised the question whether the treaties between Scotland

[1] Wodrow, *History*, vol. III, p. 88.
[2] *Ibid*, p. 88 : Trevelyan, *England under the Stuarts*, p. 407.

The Duke of Monmouth.

and England would not be infringed by sending an English army into Scotland, while the City of London in which his influence was very strong, directly petitioned the King against any such expedition. It had been designed that Lord Grey should command the cavalry which might be sent, but he declined to serve, and several other Whig nobles imitated his example.[1] Ultimately matters were compromised by Monmouth's being appointed to the command of a large body of English troops, and receiving instructions to treat the insurgents with as much leniency as was practicable in the circumstances. In a very short time three regiments of foot, three of horse, eight hundred dragoons and three troops of grenadiers, together with cannon and ammunition sufficient, were on their way to the scene of insurrection. Monmouth, who was Commander-in-Chief of the forces in England, was entrusted with a like office in Scotland. As the Scotch Privy Council had no great love for the policy of leniency they did what they could to mend matters by securing the appointment of Dalziel as his Lieutenant-general, though, as matters turned out, his commission was not handed to him until after the Battle of Bothwell Bridge, in which he took no part.[2]

In the meantime the Covenanting army near Hamilton was but very poorly prepared to resist the royal troops. Abundance of men flocked to it but there were neither arms, ammunition, nor provisions for them, nor were there officers to drill and command them. Few of the recruits had ever been in a camp before, or had any idea of submitting to discipline or of obeying orders. Some who joined one day left the next at their own caprice, or because they disapproved of the opinions of their leaders. But not only were "the oppressed Protestants now in arms" destitute of adequate military equipment, they were also unprovided with an intelligible cause for which

[1] Dalrymple, *Memoirs*, vol. I, p. 51.

[2] Terry, *John Graham of Claverhouse*, p. 79n: Wodrow, *History*, vol. III, p. 87.

to fight ; for the moment they attempted to draw up a Declaration of grounds and motives of their proceedings incurable divisions sprang up among them. The stalwart champions of Presbyterianism, who had protested at Rutherglen and scattered Claverhouse's dragoons at Drumclog, had nothing in common with those who had accepted Acts of Indulgence. Indeed the Indulged were almost as much under the ban as were the "curates", and the Robert Hamilton who had been so prominent in the beginning of the insurrection spoke of his willingness to turn his sword against them both. [1] A powerful statement of the grievances of the nation was drawn up by some of the moderate party, and in it we find an anticipation of the reasons which justified the Revolution of 1688, but it was rejected by the Council of War, no doubt because it made no mention of the Covenants. [2] For the extreme section of the insurgents still clung to these documents which at the Restoration had been pronounced by some to be then antiquated, and which were now nearly twenty years more out of date. The debates and discussions between the two factions lasted down to the very moment of battle, and utterly incapacitated them for offering any effective resistance to the royal army.

The Duke of Monmouth left London on June 15th and arrived in Edinburgh on the 18th, where he was at once admitted as a member of the Privy Council. Three days later he was within easy reach of the enemy who numbered about six thousand men. The forces at his command were about ten thousand. The Earl of Linlithgow was in charge of the infantry and Claverhouse was one of the cavalry officers. The insurgents lay at Hamilton, the foot soldiers occupying the town, and the horse the "new park" adjoining it, and they were nominally under the command of the Robert Hamilton already referred to. A petition was drawn up asking the

[1] Terry, *John Graham of Claverhouse*, p. 104.
[2] *Ibid*, p. 96.

Duke to hear a statement of the grievances which had led so many to take up arms and of the requests which they wished to offer. In an interview with him a deputation of the rebels demanded the free exercise of religion, liberty to attend religious services conducted by their own Presbyterian ministers, the calling of a General Assembly and a free Parliament to settle matters in Church and State, and indemnity for all those now in arms. The Duke heard them patiently and pledged himself upon his honour to use his influence with the King to obtain their desires which, he said, he considered reasonable and just; but he declared that he would do nothing whatever unless they immediately laid down their arms. He gave them half an hour in which to consult with their friends and reply to him, and in the meantime he ordered his army to advance towards the bridge across the Clyde at Bothwell which was held by the insurgents.[1] Had an indemnity been promised, it is probable that the gracious reception given to the petition would have averted a battle; but those present in the rebel army who had taken part in the assassination of Sharp, and those who had been compromised by what had happened during the past three weeks, had incurred the penalties due to murder and treason. For them to lay down their arms was to exchange the possibility of death upon the battlefield for the certainty of death upon the gallows.

The narrow bridge across the Clyde was gallantly held against the royal troops for nearly three hours by two or three hundred of the insurgents. The latter, however, ran short of ammunition and on applying for an additional supply to their General, Hamilton, they were ordered to leave the bridge and fall back upon the main body of the army. On their doing so the whole of the royal troops crossed the bridge and formed up in regular order without molestation. The frantic folly of ordering the defenders of the bridge to abandon it instead of strongly supporting them soon became evident. The cannon

[1] Wodrow, *History*, vol. III, p. 106.

were turned upon the rebel horse and threw them into confusion, upon which they fled from the field, leaving the foot at the mercy of the enemy who instantly charged them with great fury. About four hundred of them were killed and twelve hundred taken prisoners, while the loss on the other side was very trifling.[1] One of those present at the battle remarked that Hamilton left it doubtful whether he had acted "most like a traitor, a coward or a fool"[2]; but as he was one of the first to gallop off the field the suitability of the second of these epithets, at any rate, as a designation for him can scarcely be denied.

Monmouth put a stop as soon as he could to the slaughter his men were making, and saved the prisoners whom some proposed to kill upon the spot. He was afterwards told by Charles II that he should not have troubled himself with prisoners, but replied that he was not a butcher to kill men in cold blood.[3] An Act of Indemnity was subsequently published, but it was clogged with so many conditions[4] that it was of but little use, and left the hapless peasantry of the western counties a prey to the tyrannical authorities and their vindictive soldiery. The horrible treatment meted out to the prisoners and the death of two hundred of them on the coast of Orkney on their way out to the plantations are well known facts of history.[5] There are perhaps some who can withhold compassion on reading or hearing of these things by reminding themselves that the sufferers were rebels and not martyrs. All we can say about persons of such well regulated feelings is that we do not think them capable of much reverence or commiseration even for martyrs, especially as it is certain that in almost every case it can be shown that the

[1] McCrie, *Memoirs of Veitch*, etc. p. 480: *Lauderdale Papers*, vol. III., p. 171: Law, *Memorialls*, p. 151.
[2] Wodrow, *History*, vol. III, p. 107.
[3] Burnet, *History of My Own Times*, vol. I, p. 473.
[4] Wodrow, *History*, vol. III, p. 118: Law, *Memorialls*, p. 151.
[5] *Ibid*, p. 124: *Biog. Pres.* vol. I, p. 46 (1827).

persons to whom the Church gives that honourable title were technically rebels, as disobeying the commands of some form of civil government. One would like to know what they themselves would have done in the days before the Caesars had entered Christianity on the list of licensed religions, if they had been requested by a heathen magistrate to burn incense to a false god. If they announce that they would have refused to do so, they commit themselves to the position that rebellion may be justifiable ; if they admit that they would have obeyed the request, we need not concern ourselves any further with their opinions.

CHAPTER XIII.

The 3rd Act of Indulgence—Duke of York sent to Scotland—He declines to take the Oath of Allegiance—He courts popularity in Scotland—The Sanquhar Declaration—Execution of Cargill—Lauderdale resigns office—Duke of York visits Argyll at Stirling—Meeting of Scotch Parliament—Argyll's position threatened—The Test Act—Argyll and Dalrymple dismissed from the Court of Session—Argyll takes the Oath with an explanation—Imprisoned—Accused of Treason.

Largely through the influence of Monmouth and of the faction to which he belonged, something was done towards remedying ecclesiastical grievances in Scotland by wresting from the Government of Charles II a third measure of Indulgence. This appeared within a week of the Battle of Bothwell-Bridge (June 29th, 1679). The proclamation, in which it was embodied, laid great stress upon the need of the utmost severity in suppressing field-conventicles, and menaced all ministers who officiated at such with death and their hearers with fines and imprisonment, and it ordered the strictest search to be made for the assassins of Sharp and for those who had given them any aid in escaping from justice. But it proceeded to grant liberty under certain conditions for the holding of conventicles in houses. These gatherings were to be permitted in any part of Scotland south of the Tay "excepting the town of Edinburgh and two miles round about the same, with the lordships of Musselburgh and Dalkeith, the cities of St. Andrews and Glasgow and Stirling, and a mile about each of them." The reason

for these exceptions was given in terms of exasperation : " being fully resolved not to suffer the seat of our government, nor our universities to be pestered with any irregularities whatsoever. " We presume that the district north of the Tay is excepted on the ground of permission not being requested by any in that quarter. A certain portion of the fines already incurred for attendance at such meetings in houses was remitted. None of those who had taken part in this rebellion were to be allowed the benefit of this Indulgence, nor any who should from this time forward be admitted to the sacred office by " unconform ministers, " and due surety for the peaceable behaviour of those accepting these terms was required. [1] The Privy Council in Edinburgh were inclined to murmur at such a proclamation as an encouragement to rebellion, and they did what they could in administering its provisions to render it ineffectual. So that beyond the mere show of clemency, the measure in question ultimately proved of but little use. [2]

Had this measure been honestly meant for the remedy of grievances it might have been a blessing to the country; but as it had been virtually wrung from reluctant hands when Shaftesbury and Monmouth were in the ascendant, so it lost its force when their influence declined. After his victory in Scotland Monmouth was at the head of the armies of both Kingdoms, and was popular in both, while his rival, the Duke of York, whose exclusion from the throne was demanded by so many, was an exile in Brussels. At this juncture Charles fell seriously ill and his death was hourly expected. The risk of civil war was brought home to every man in the country. " The Tories were scattered, without a leader, and without a cause; the Whigs were armed, led, united; the great majority of Englishmen sat still in dull terror of what the next hour would bring." [3] The King recovered and

[1] Wodrow, *History*, vol. III, p. 149.
[2] *Ibid*, p. 152 : Burnet, *History of My Own Times*, vol. I, p. 474.
[3] Trevelyan, *England under the Stuarts*, p. 407.

the immediate danger passed but vigorous measures were taken to prevent its recurrence. James had returned to England in disguise with his brother's consent. Monmouth was deprived of his commands and ordered to retire to Holland, while Shaftesbury was dismissed from the Council. In order to present some show of impartiality in dealing with the rivals, the Duke of York was also required to leave England, but his exile was merely nominal, for he was despatched to Scotland, very much as a deputy of Lauderdale, who on account of age and physical infirmity, could not be expected to retain power for long. Monmouth's fate as a claimant to the Crown was now virtually settled; for, unpopular as James was, the mass of the nation were indisposed to see him wronged and to allow the son of Lucy Walters to reign in his stead, when the choice between them was thus presented in a way which seemed likely to demand an immediate answer.

In the November of 1679 the Duke of York came down to Scotland, and at once assumed that attitude of superiority to statute-law which was such a marked characteristic of his career. By an Act of Parliament passed in this very reign it had been decreed that no one should be permitted to act as a Privy Councillor without taking the Oath of Allegiance, which contained a declaration against Popery. James announced that he did not regard himself as bound by this Act, and that he intended to take his seat in the Privy Council. Upon this five of that body including Argyll and Sir George Mackenzie, the Lord Advocate, took the strong course of addressing Lauderdale on the subject. They pointed out that this Act was a solemn contract for the security of the kingdom, that by it the Sovereign bound himself only to employ those in whom his subjects had confidence, and that in their opinion no letter of dispensation could be granted by him in the case of this statute any more than in the case of others. With extraordinary plainness of language they drew attention to the damaging effect upon the

Duke's prospects which the violation of law proposed by him might have. If he had not kept the laws before succeeding to the throne, how could he be the guardian of them afterwards? "It shall be considered," they said, "whether the passing by the Act may not breed jealousies and fears in his Majestie's subjects to the prejudice of his Royall Highness, who would never think themselfs secure by any Limitation to be put upon the successor whilst they saw that none could bind the subject."[1] This remonstrance was sent to Lauderdale to be laid before Charles II in order to safeguard the Privy Council if the matter should ever be challenged in time to come.

Both the Sovereign and his Secretary of State were fully convinced that the remonstrance was well founded, and that James could not escape the obligation imposed by the Act of Parliament except by breaking through it. Lauderdale wrote: "The Oath is certainly much lesse than the Oath of Allegiance here [in England], which I think your Highness took in the House of Peers and therefor I hope you will not scruple it; but if you shall not think fit to take it, I dare not presume to advise your sitting in Councell, which would give too great advantage to your Enemies."[2] But James was quite firm in his refusal. Whatever oath had been taken by him as a peer, he had taken none on becoming a Privy Councillor in England, though such was imposed upon others, and he would take none in Scotland. One is amazed to find that in spite of such a formal protest, drawn up by the Lord Advocate and approved of both by the Secretary of State and by the Sovereign, he got his own way. After stating his own case he sent a draft of a letter of the kind he wished the King to sign, authorizing him to break the law, and he requested Lauderdale to despatch, it or one "as effectual" as it, to him with all speed. The Duke found his brother and

[1] *Lauderdale Papers*, vol. III, p. 179.
[2] *Ibid*, p. 183.

the Secretary of State as compliant as he wished, and shortly afterwards he acknowledged the receipt of the desired letter with great complacency: "I received," he says to Lauderdale, "yours of the 30 [Dec.]: and by it found the dificultys [which] had been raised here by some were ordred to my satisfaction and this afternone I took my place in Councell".[1] Yet for the present he avoided all unnecessary exasperation of public opinion, and his manners were regarded as suave and gracious by those who had been so long trodden upon by Lauderdale and had been put to silence by his passionate invectives and truculent blasphemy.[2] The object of James at this time was to dissipate, if possible, the unfavourable impressions of his character and policy cherished by so many, and to secure his succession to the Crown of Scotland. Hence he affected moderation and impartiality, and took an interest in matters of trade and in schemes for promoting the material prosperity of the nation. That we are not unjust in ascribing this mode of procedure to deliberate policy is sufficiently proved by his own statements. Thus in a letter written at this time to a confidential friend he says: "I live here as cautiously as I can, and am very careful to give offence to none, and to have no partiality and preach to them laying aside all private animosities, and serving the King his own way."[3]

He was accompanied by his bright and amiable wife, Mary of Modena, and by his daughter, the Princess Anne. The easy and affable manners of the princesses, together with his endeavours to make himself popular among all classes of society enlivened the capital, which for nearly half a century had been a stranger to the brilliance and charm associated with the presence of royalty, at any rate in times of peace. The Duke played

[1] *Lauderdale Papers*, vol. III, p. 186.
[2] Burnet, *History of My Own Times*, vol. I, p. 510: *Camden Miscellany*, vol. XI, p. 77.
[3] Burnet, *History of My Own Times*, vol. I, p. 511n.

at tennis and took part in the national game of golf on the Links at Leith with some of the nobility and gentry, as his father had done forty years before. It is interesting to notice in passing that, among the novelties which the royal ladies are recorded as having brought with them, tea is specially mentioned. The only thing which marred the harmony of the visit was the ceremony of burning the Pope in effigy on Christmas Day. This was carried through by the University students, in spite of the attempts of the magistrates to prevent it. [1] After a stay of little more than three months the Duke of York left Scotland, and retired again to Brussels. In an address from the Privy Council to Charles II the visit of his brother to Edinburgh is spoken of in very glowing terms. "This too short time," they said, "has been the most peaceable and seren part of our life, and the happiest dayes wee ever saw, except your Majestie's miraculous restitution." The enthusiastic Privy Councillors vow to maintain Charles and his lawful successors in that right which they "derive only from God Almighty."[2] Little value need, we suppose, be attached to a document of such a highly conventional type. Otherwise we should have been surprised to find Argyll's name among the signatures at the close of it. All that in his case is implied in his adherence to it is that he was prepared to support the interest of James and the existing order of things.

It would be a mistake to imagine from the mention of Acts of Indemnity and Indulgence that the condition of matters in Scotland was now peaceful, and that the guilt of rebellion had been graciously condoned by the Government. These Acts were, as we have said, clogged with conditions which enabled the authorities to evade them, and to deprive those whom they might have bene-

[1] Mackay, *Life of 1st. Viscount Stair*, p. 141: Burton, *History of Scotland*, vol. VII, p. 239: Fountainhall, *Historical Observes*, p. 18: Brodie, *Diary*, p. 449.

[2] *Lauderdale Papers*, vol. III, p. 193.

fited of all advantage from them. All persons who had been involved in the Bothwell Bridge insurrection and had property were heavily fined, and new tests were applied to bring those suspected of disaffection within the meshes of the law. Such persons were asked, for example, to declare their opinions concerning the recent rising and concerning the death of Archbishop Sharp, as to whether the one were rebellion and the other a murder. A reply in the negative or a refusal to reply was used as evidence to convict them of treason. The merciless soldiers, who took upon themselves to interpret as well as to execute the laws, made use of any suspicious circumstances in the lives of their victims during the past twenty years as a pretext for oppression and pillage.[1]

The authorities were now largely successful in the task, which had occupied them so long, of suppressing field-conventicles. The last to hold these gatherings were Richard Cameron and Donald Cargill and their followers, who carried their opposition to the Government to the length of open defiance and rebellion. In a Declaration published at Sanquhar (June 22nd, 1680), Cameron and his followers disowned Charles II as having any right to the throne, because of his "perjury and breach of Covenant both to God and His Kirk," declared war with him as a tyrant and usurper, and protested against the Duke of York's succeeding to the Crown on the ground of his being "a professed Papist." A month later Cameron was killed in a skirmish at Airds Moss in Ayrshire.[2] His associate, Cargill, in September of the same year, at a meeting in Torwood, in Stirlingshire, pronounced a sentence of excommunication upon the King, the Duke of York, the Dukes of Monmouth, Lauderdale and Rothes, General Dalziel and the Lord Advocate Mackenzie.[3] This action, taken by him on his own responsibility and without consultation with any,

[1] Wodrow, *History*, vol. III, p. 224.
[2] *Ibid*, pp. 212, 220 : Law, *Memorialls*, p. 155.
[3] *Ibid*, p. 161, Wodrow, *History*, vol. III, p. 225.

certainly savours of arrogance and fanaticism and is quite indefensible, though, in the condemnation of the tyranny of the House of Stewart and in the repudiation of him who was afterwards James II, it simply anticipated what was done by both England and Scotland at the Revolution. Cargill managed to elude capture until the following July when he was taken and executed.[1] Open treason such as both he and Cameron were guilty of could not, of course, be tolerated by any Government. Those who engaged in it staked their lives in the quarrel and made no complaint, and had no ground for complaint, when required to pay the forfeit. None the less, it is always a disquieting circumstance when a prisoner is beyond doubt morally and spiritually of a higher character than his judges. It seems to suggest that there must be some circumstances which mitigate his guilt, and which tend to nullify their apparent superiority to him. So was it with Cargill. The piety, serenity and gentleness which had adorned his life, in spite of his doctrinal narrowness and of the error to which fanaticism had urged him, were conspicuous in his last hours. The Earl of Argyll ever afterwards regretted the share he had had in his trial and condemnation, and it was no doubt one of the things in his mind when, in the statement published by him on landing at Campbeltown in 1685, he upbraided himself for his compliance with oppressive acts of the late Government. Certainly the fact of such compliance, whether defensible or not, bore very heavily against him when he called on followers of Cameron and Cargill to aid him in his attempt to overturn the throne of James II.[2]

In October of 1680 Lauderdale resigned the office of Secretary of State for Scotland which he had held for so many years in spite of opposition from various quarters, and was succeeded by the Earl of Moray.[3] The principle which had guided him throughout his tenure of office is

[1] Wodrow, *History*, vol. III, p. 283 : Law, *Memorialls*, p. 198.
[2] *A Cloud of Witnesses*, p. 3. (1871) : *Biog. Pres.*, vol. I, p. 76.
[3] Wodrow, *History*, vol. III, p. 240.

revealed in a sentence of one of his letters to the King already quoted, "All your commands are to me above all human laws,"[1] and the persistence with which he adhered to this principle retained for him the support of Charles against all opponents. By the Acts of Indulgence which he had passed, together with the free use of military force to terrorize the country and to break down open opposition to the Government, he had succeeded to a large extent in isolating the extreme section of the Presbyterian party and in depriving them of the power of effective resistance. The country, therefore, when he resigned his office was fairly peaceful, or, we should rather say, was quiescent because of exhaustion after long years of struggle. His political opponents had been discredited and humiliated when the grievances, which had led them to impeach him, had been discussed in the royal presence, and the decision had been given in his favour. Those who had been dissatisfied with the management of public affairs had been marked men, and many of them had been ruined by the arts of spies and informers, or by the open violence of soldiers who had been quartered upon them or who had been sent to harry them. Others were in prison or exile. Now that those who might have organized and led a party to maintain the cause of freedom were out of the way, it was felt by the King and by the Duke of York that Parliament might be allowed to meet again after eight years of suspension. At the close of the year 1680 James accompanied by his wife, Mary of Modena, went down to Scotland, and in the following July he presided as Royal Commissioner at the meeting of Parliament.[2]

The one man in the country of whom he stood in some measure of suspicion and fear was the Earl of Argyll.

[1] *Lauderdale Papers*, vol. II, p. 141.

[2] Mackay, *Life of 1st Viscount Stair*, p. 142. Shortly after James arrived in Edinburgh he visited the Castle. By the advice of "an English canoneer" the large gun called "Mons Meg" was used to fire *un feu de joie*, and was burst in so doing. The Englishman was regarded by many as having wished to destroy a gun which was larger than any in his own country (Fountainhall, *Historical Observes*, p. 5.)

His ability and commanding position, his sympathy with the moderate Presbyterian party and strong attachment to the cause of Protestantism, marked him out as a leader. " The Duke of York, " says Burnet, " seeing how great a man the Earl of Argyll was in Scotland concluded it was necessary for him either to gain or to ruin him. " [1] In February 1681 the Duke paid a visit to the Earl at his house in Stirling. The royal guest was entertained with great kindness, and even with magnificence, in the residence now known as " Argyll's Lodgings " and used as a military hospital. A striking conversation between James and Argyll is worth relating in the original words in which it is recorded. " The Duke " we are told, " was pleased to thank the Earl for his civility and kindness, and to ask the Earl wherein he was able to show the sense he had of the favour he had done him. The Earl humbly thanked His Highness for his goodness and said his favour was more than a recompense. The Duke said : 'My Lord, if you will do one thing you may be the greatest man in Scotland.' The Earl begged to know what that was. The Duke said it was a thing in doing which he would singularly oblige him. The Earl again humbly desired to know what that was. The Duke replied that all he desired of him was that he would exchange the worst of religions for the best. " [2] We are told that the Earl gave him a very cutting answer, and that henceforth the Duke's coldness of manner towards him marked the depth of the resentment, which the rejection of his proposal had occasioned. It is not, perhaps, worth while to enquire minutely as to what the Duke of York meant by " the worst of religions, " so as to ascertain which of the two forms of Protestantism in Scotland, the Episcopal or the Presbyterian, had the honour of being visited with his contempt. The Earl and his family seem to have attended the services of "indulged ministers" both in Argyllshire and elsewhere. As these in most

[1] *History of My Own Times*, vol. I, p. 512.
[2] *Argyll Papers*, p. 17.

instances sat light to Episcopal authority it is quite possible that James implied that he was virtually a Presbyterian though outwardly conforming to the State Church. It was singularly characteristic of him to ask Argyll to make this great change from Protestantism to Roman Catholicism as a personal favour to himself. Had he had any measure of tact, not to speak of generous sympathy, he would never have made so crass and absurd an appeal. It was strange that a man who would afterwards forfeit three kingdoms for the sake of religion should not have been able to credit others with a conscientious attachment to another form of Christianity than his own.

The Scotch Parliament met at Edinburgh on July 28th, 1681, and the ceremony of "riding" from Holyrood House to the place of meeting was observed with great parade and splendour. Argyll was prominent in the procession, as he carried the royal crown up that street along which four years later, after his unsuccessful rebellion, he was led ignominiously by the hangman. The two main designs in view in connexion with this meeting of Parliament were to sanction and continue the repressive policy in Scotland, and to secure the succession of the Duke of York to the throne. The first Act passed in it ratified all former laws which had been drawn up for the security of the Protestant religion. A natural corollary to this was a ratification of the Acts passed against Popery, but this was omitted by the Committee of the Articles out of consideration for the Duke's feelings. The Earl of Argyll, however, proposed that a clause to this effect should be added to the Act and by so doing openly entered the arena against the Royal Commissioner. He was supported by the famous advocate Sir George Lockhart and by Sir James Dalrymple, President of the Court of Session, and, though the Lord Advocate and some of the Bishops affirmed that that addition was unnecessary, it was made without a vote being taken.[1]

[1] Wodrow, *History*, vol. III, p. 291 : Mackay, *Life of 1st. Viscount Stair*, p. 143 : *Acts of Parl. of Scot.*, vol. VIII, pp. 243, 244 : Law, *Memorialls*, p. 202.

Very speedily the Earl himself was directly threatened by two measures being brought before the Lords of the Articles affecting his property and position. The Duke gave him private warning to take care of himself, for the Earl of Errol and others were about to make a claim upon the Argyll estates on account of debts in which they had been cautioners for his father, the Marquess, and he said that as they were zealous in His Majesty's service, their interests must be attended to. The Earl replied with spirit that he hoped that he would not be found inferior to Errol or to anyone else in zeal for the King's service, and that the claims in question were baseless. The matter was brought up, and on investigation Argyll was found to be in the right. He had received only a portion of his father's property, and among the debts to be paid by him, which had all been expressly mentioned, this had not appeared. The Marquess of Huntly had owed his brother-in-law, the Marquess of Argyll, £35,000 Sterling, and his son had got out of Argyll's forfeited estate property yielding £4000 Sterling a year without any burden of debt. So that as the present Marquess of Huntly had got the only property on which the alleged debts, if valid, could rest, application should have been made to him for payment. The demand in question, which seems to have been purely vexatious, was thereupon dropped. The other indication of hostility to Argyll was a statement by the Lord Advocate, Mackenzie, that he had received instructions to deprive the Earl of his hereditary offices of Sheriff and of Justice-General of Argyllshire, the Isles and other places. As, however, these offices were of centuries' standing, and had been expressly confirmed by Parliament in 1633 when the 8th Earl resigned the hereditary office of Justiciary of Scotland, and had been renewed to the present Earl in 1672, this attempt to deprive him of his rights collapsed. Upon this it was alleged by some that the estate of the Marquess of Argyll had upon his forfeiture been annexed to the Crown, and that therefore the grant even of a

portion of it to his son was invalid. But on examination of the Act of forfeiture it was found to be expressly stipulated that the estates in question were to be left absolutely at His Majesty's disposal. The Earl remarked with bitter scorn that annexing the property to the Crown was the last thing those who had been active against his father would have desired, as the secret of their activity had been the expectation of dividing the spoil among themselves. The party hostile to the Earl was strong enough to carry a proposal in the Committee of the Articles that a committee should be appointed with Parliamentary powers to meet in the intervals of Parliament and to decide all controversies regarding any of the Earl's rights. As these rights had been conferred by royal charters and warrants this infamous proposal threatened to infringe upon the royal prerogative as well as to supersede the ordinary judicial tribunals. When it was brought forward in Parliament it was promptly suppressed. The Royal Commissioner expressed his regret at having supported it, and excused himself on the ground of want of experience in public affairs. The whole proceedings were of an ominous character and displayed a strong desire on the part of Argyll's enemies to ruin him even before his action with regard to the Test Oath gave them an opportunity of passing a death sentence upon him. [1]

After an Act had been passed asserting the right of succession to the Crown of Scotland and affirming that no difference of religion and that no law made by Parliament could deprive the nearest and lawful heir of his right, a measure was passed "for securing the peace of the country" by increased severity in dealing with field-conventicles and with persons obnoxious to the authorities. [2] Thereafter the notorious Test Act was introduced. This last measure was intended to exclude

[1] *Case of the Earl of Argyle*, p. 4 : Fountainhall, *Historical Notices*, vol. I, p. 312 : Law, *Memorialls*, p. 207.
[2] Wodrow, *History*, vol. III, p. 293.

those from all civil and ecclesiastical offices who would not be subservient to the royal will. It was very hastily prepared and was probably the most complex and self-contradictory oath which was ever drawn up and presented for subscription. Nor is this surprising when we consider that it was hurried through the Committee of the Articles and through Parliament on the same day, and that it was an amalgam of two totally distinct and inconsistent designs. The court party were anxious to exclude from office all who would not swear never to attempt to alter matters in Church or State or to resist the royal will, while their opponents felt that, after consenting to the succession of a Roman Catholic heir, additional security should be given for the maintenance of the Protestant religion and that the latter should be defined.[1] Sir James Dalrymple proposed and succeeded in carrying a resolution that Protestantism should be defined as "the religion contained in the Confession of Faith recorded in the first Parliament of James VI, which is founded on and agreeable to the written word of God."[2] His object in so doing was either to lead to the Act imposing a test being dropped or to render it harmless; but the Duke of York was so eager to have a test that he allowed this addition to be made to the oath. But the condemnation of Popery contained in that Confession of Faith mortified him intensely, and his anger against Dalrymple was very hot. So hastily was the business done, and so often had the draught of the oath in the clerk's hands been changed and interlined, that few were quite sure what it contained, and the result was that an oath was drawn up which no honest Presbyterian, Episcopalian or Roman Catholic could subscribe. Argyll and Stair and others refused to vote in the matter.[3]

According to the statute now passed and known as the

[1] Burnet, *History of My Own Times*, vol. I, p. 515.
[2] *Case of the Earl of Argyle*, p. 2.
[3] Wodrow, *History*, vol. III, p. 299.

Test Act all persons holding any civil or ecclesiastical office were ordained to swear: "that they sincerely professed the true Protestant religion, contained in the Confession of Faith, ratified by the first Parliament of King James VI; and that they would adhere thereto, educate their children therein, and never consent to any alteration in the same. They were also to affirm and swear that the King's Majesty was the only supreme governor of the realm, over all persons and in all cases, ecclesiastical and civil; that it was unlawful for subjects, on any pretence whatever, to enter into covenants or leagues or to assemble in council or convention to treat of any matter affecting the Church and State, without his permission; that it was unlawful to take up arms against him; that there lay no obligation upon them from the National Covenant, or Solemn League and Covenant, or in any other way, to endeavour any change in the government of Church and State, as then established by law; and that they would never decline His Majesty's power and jurisdiction." [1] As the Confession of Faith referred to in the oath was one of those theological documents whose fate it is to be oftener quoted than read, very few in the Parliament were acquainted with the terms in which it was expressed. Even the Bishops seem to have been ignorant of what it was which they were assisting to impose upon the nation. Their dismay when they discovered it was proportionally great. The document in question contained elaborate and minute statements of doctrine. These were not always consistent with each other or with the general consensus in such matters of the Reformed Churches; and the persons who took the oath pledged themselves never to attempt to frame another and better expression of their creed. Much in it was contradictory of the passive obedience prescribed in the second part of the oath; for the Confession of 1567 spoke of 'repression of tyranny' as a sacred duty and

[1] Wodrow, *History*, vol III, p. 296: Grub, *Ecclesiastical History of Scotland*, vol. III, p. 264: Law, *Memorialls*, p. 203.

ordered rulers 'not to pass over the bounds of their office.' [1] The language, too, in which it affirmed that Jesus Christ was the only Head and Lawgiver of His Church, and that it was blasphemous for any man to intrude into that office, was quite irreconcilable with the assertion in the oath of the King's supremacy in the Church. Those who thought that Episcopacy was of Divine appointment were confronted by the fact that the oath claimed for the King absolute power over the Church, and did not bind him to maintain that particular form of ecclesiastical government. The inconsistencies involved in the oath have been clearly stated by Sir John Dalrymple. "It inferred," he says, "an obligation upon those who took it, to conform to any religion the King pleased, and yet to adhere to the Presbyterian religion; to oppose prelacy and yet to maintain the present constitution of the church, which was prelacy; and to renounce and yet affirm the doctrine of non-resistance." [2]

The Earl of Argyll took a prominent part in the debate upon this measure. He laid down the highly reasonable principle that "as few oaths should be required, as could be, and these as short and clear as possible." For twenty years past the purpose which the Test Act sought to gain had been effected by the ordinary oath of Allegiance. All that he thought was necessary was to add a few words to the latter which might hinder Papists from swallowing it, as in some instances they had done. But the great contribution which he made to the debate, and that, which so far as he was concerned, "fired the kiln"—to use the Bishop of Edinburgh's words about it at the time, [3]—was on the question as to whether members of the Royal House might hold office without taking the oath. It was proposed that the King's brothers and sons might be so excepted. But not even in that servile assembly could

[1] *Art*, XIV. The document is reprinted in *The Case of the Earl of Argyle*, p. 16.
[2] *Memoirs*, vol. I, p. 66.
[3] *The Case of the Earl of Argyle*, p. 7.

such a proposal pass unchallenged. Lord Belhaven boldly declared that to grant this would be to deprive the measure of its value, as "the chief use of the test was to bind a popish successor." For these bold words he was instantly sent prisoner to the Castle by the Parliament and threatened by the Lord Advocate with impeachment.[1] But neither this commitment nor these threats intimidated Argyll. With equal firmness, though in more moderate language, he opposed the exception of these members of the royal house from obligation to take the oath. He said that it was a matter of happiness 'that King and people were of one religion and that they were so by law; that he hoped the Parliament would do nothing to loose what was fast, nor open a gap for the Royal Family, to differ in religion; that their example was of great consequence, that one of them was as a thousand, and would draw the more followers; if once it appeared to the people, that it was honourable and a privilege to be of another religion.' If any exception were to be allowed he said that he thought it should only be in the case of the Duke of York. The latter at once repudiated the suggestion, and, as there was at that time no other person specially affected by the proposed exemption, the matter was allowed to drop.[2] Argyll, however, boldly declared his conviction that this part of the Act would do more harm than could be made good by the earlier part and by many other Acts of Parliament. In spite of his arguments the measure was carried through, and orders were given that all who held any office in Church or State must take the oath before the 1st of January, 1682, heavy penalties being threatened in the case of any engaging in the employments of their office without taking it.[3]

Immediately on the adjournment of Parliament, the schemes hostile to the Earl were revived in a new form. It was proposed to apply to the King for the appointment

[1] Dalrymple, *Memoirs*, vol. I, p. 66.
[2] *The Case of the Earl of Argyle*, p. 3.
[3] Wodrow, *History*, vol. III, p. 296.

of a Commission to review his rights, deprive him of his heritable offices, and impose upon his property the debts which had been alleged against it. Argyll at once had an interview with the Royal Commissioner and protested against such high-handed procedure. The Duke explained that a mere Commission of enquiry could do no harm. The Earl replied that such a Commission would be appointed for a special purpose, and that those employed in it would almost certainly include some of his enemies, and he demanded the protection of the ordinary Courts of Judicature to which he was quite willing that claims against him should be submitted. He said that the heritable offices referred to had been granted to his ancestors because of their fidelity to the Crown, and that so far from their having been a source of profit, they had imposed obligations in the way of maintaining the public peace and of repressing theft and robbery. He declared that he was willing to submit the matter to the King, and if, after he had been heard in defence of his rights, His Majesty were to request the surrender of these offices, he would be willing to make it. "His rights (as he had said in Parliament) were unquestionable and oftentimes confirmed; yet he was willing to surrender them all on his knee to His Majestie, but was not willing to have them torn from him with ane affront by any other." The Duke of York merely replied that the Earl would have an opportunity of objecting to individual Commissioners, should such be nominated, and that in the meantime nothing would be done until, according to his own suggestion, he had produced the royal warrants and charters on which his rights were based. The Earl then proceeded to Argyllshire to get these documents. After leaving Edinburgh he wrote to the Earl of Moray, Secretary of State, asking liberty to wait upon His Majesty. This was at first granted, but shortly afterwards, in consequence no doubt of some report concerning him from the Duke of York, it was withdrawn, and he was informed that the King refused to see him unless he

took the Test. He found, however, that he had given serious offence by making the application through the Secretary of State instead of the Royal Commissioner, and that it was doubtful whether he would be admitted to an interview even if he took the Test. [1]

When in Glasgow on his way back to Edinburgh from the West, the Earl heard that he had been dismissed from the Court of Session, of which he had been an Extraordinary Lord since 1674. [2] A new commission for the Lords of Session had been issued and both the President, Sir James Dalrymple and he had been omitted from it. [3] As he was under the impression that he had two full months in which to decide what course to adopt with regard to the Test, he was inclined to take no immediate action, but he found that he was not to be left at peace. A special meeting of the Privy Council was called, and he received information that he was to be summoned to it in order to take the oath. He at once waited on the Duke of York and had an interview with him at Holyrood after supper in his bed-chamber. The Earl said that he had returned according to his promise, and had brought with him the writs and charters which confirmed his rights, and he enquired if it were the case that in the meantime he had been dismissed from the Court of Session. The Duke replied that this was so, and on being asked what was likely to happen next, he said he did not know. The insult was one which the Earl's proud spirit would not allow him to accept without protest. He remarked that he had never sought either that or any other office from the Crown, and that the post in question was quite at His Majesty's disposal and might soon be filled by a better man than himself. "But", he went on to say, "if it be to express a frown, it is the first I have had from His Majesty these thirty

[1] *Case of the Earl of Argyll*, p. 6.
[2] For some information regarding this office see *The Great Marquess*, p. 27.
[3] Fountainhall, *Historical Observes*, p. 50 : *Ibid*, *Historical Notices*, vol. I. p. 333 : *Case of the Earl of Argyle*, p. 6 : Brodie, *Diary*, p. 463.

years. I know I have enemies, but they shall never make me alter my dutie and resolution to serve His Majesty. I have served His Majesty in armes, and in his judicatures, when I knew I had enemies on my right and on my left, and I will doe so still. But if any have power to render His Majesty or Your Highness jealous of me, it will make my service the more useless to both and the less comfortable to myselfe." The Duke's only reply was that he knew no more about the matter than what he had said. As the hour was late the Earl said that he would wait upon His Highness at some other time in connexion with the documents which he had brought to Edinburgh to confirm his rights. He asked, however, to be informed if it were true that he was to receive a summons to attend a meeting of the Council next day to take the Oath. The Duke replied that this was the case, and utterly refused to allow him the benefit of the time specified in the Act. The only concession made to him was that he might wait until Thursday, November 3rd, the day on which the next ordinary meeting of the Council would be held. The Earl remarked that he had the less reason to be fond of the Test since he found that some who refused it were still in favour, while others who had taken it had been turned out of office.[1] At this the Duke only laughed. He lost his temper, however, a moment afterwards when the Earl enquired why he was so eager in pressing the Test, which contained some things which he could not like over much. To this he angrily replied: "Most true: that Test was brought into the Parliament without the Confession of Faith. But the late President caused the Confession to be put in, which makes it such as no honest man can take." Argyll remarked coldly that that being the case there was the more reason for his acting advisedly in the matter.[2]

[1] Many of the Episcopal clergy objected to the Test. The Clerk-Register who had taken the Test had been dismissed from the Court of Session along with Argyll and Dalrymple.

[2] *Case of the Earl of Argyle*, p. 6.

The Earl had spoken of persons who had as yet refused the Oath and still were in favour, and the reference was to the Episcopal clergy among whom the new statute had excited great alarm. They were committed by it to the acceptance of an elaborate Confession of Faith which had been drawn up more than a century before in Presbyterian times, while in addition they were asked to accept statements which apparently denied that the Church had any intrinsic spiritual power, and which seemed to make Episcopal government a matter dependent upon the royal will. The Bishop of Edinburgh who had already taken the Test published explanations of it to reassure his brethren, while the Bishop and Synod of Aberdeen, the Bishop of Dunkeld and the Clergy of Perth also drew up statements of the sense in which they had taken it, and endeavoured to safeguard themselves on several other points.[1] From other quarters also came expressions of widespread dissatisfaction with the Test on the part of persons whose loyalty to the Government was above all dispute. So keen, indeed, was the feeling aroused in connexion with this matter that ultimately about eighty of the clergy resigned their livings rather than take the Oath.[2]

The Earl having been led to understand that a brief explanation would be allowed on his part when he took the Oath prepared something of this kind and took it with him in writing to the Council meeting; but he resolved not to make use of it unless he was informed that the Duke would approve of his action. The Bishop of Edinburgh, who had already warned Argyll "to have a care of a noble family," had spoken to His Highness and told him what the Earl proposed to do. As Argyll crossed the ante-room to enter the Council Chamber he received word from the Bishop that his explanation would be very kindly accepted."[3] On receiving this intimation

[1] *Case of the Earl of Argyle*, p. 26.
[2] Burnet, *History of My Own Times*, vol. I, p. 519.
[3] *Case of the Earl of Argyle*, p. 7.

he entered the Council Chamber, and before kneeling down to take the Oath made the following statement: "I have considered the Test, and I am very desirous to give obedience as far as I can. I'm confident the Parliament never intended to impose contradictory Oaths. Therefore I think no man can explain it but for himself. Accordingly, I take it, as far as it is consistent with itself and the Protestant religion. And I do declare that I mean not to bind up myself in my station, and in a lawful way to wish and endeavour any alteration I think to the advantage of Church or State, not repugnant to the Protestant Religion and my Loyalty. And this I understand as a part of my Oath." [1] "Whereupon," we are told, "the Oath was administered and the Earl took it; and His Highness with a well-satisfied Countenance, and the honour of a smile, commanded him to take his place; And while he sat by His Highness (which was his honour to do that day) His Highness spoke several times privately to him and always very pleasantly." [2]

The Earl was fully convinced that the Duke was at this time perfectly satisfied with what he had done, though some of his enemies in the Council were irritated and mortified at the result of matters. He was careful not to publish the explanation that he had made before taking the oath, and indeed refused to give a copy of it to a friend who asked him for it. But as it was short and easily remembered it was soon current throughout the city. Probably it leaked out through one of the clerks of the Privy Council. The next day Argyll waited on the Duke, and to his surprise was received with disfavour. He began a private conversation with His Highness, but the latter interrupted him and told him that he was not pleased with the explanation of the previous day. The Earl replied that it had not been given until the Bishop of Edinburgh had informed him on the part of His Highness that it would be accepted.

[1] *Case of the Earl of Argyle*, p. 50.
[2] Wodrow, *History*, vol. III, p. 314: *Case of the Earl of Argyle*, p. 8.

As he was about to say more in vindication of himself the Duke interrupted him, saying: "Well, it is past with you, but it shall pass so with no other",[1]—words which surely might be taken to indicate that so far as Argyll was concerned the matter was at an end.

According to a senseless piece of pedantry Argyll was required to take the Oath again as a Commissioner of the Treasury, his former acceptance of it having been in his capacity of Privy Councillor. On this second occasion there is no doubt that there was a preconcerted plot to assail him. At a full meeting of the Council at which the Duke presided the Oath was tendered to him and he took it, merely adding the words, "As before." Upon this the Earl of Roxburgh, who had never been known to speak in the Council before, rose up and clamorously asked what had been said. The Duke thereupon turned round and repeated the words. Roxburgh then demanded that Argyll should substitute for them the explanation of the day before. At first he declined to do so, but on receiving a peremptory order from the Duke to repeat his explanation, on the ground that some had not heard him distinctly on the previous day, he took out of his pocket a written copy of the words and read it. Upon this he was removed from the room until the Council had considered the matter. On being called in he was ordered to sign the paper which he had read and which now was in the hands of the Council. To this he replied that if, as on the previous day, they had been pleased with the explanation he would have had no objection to do so; but as they were displeased with it he would not sign it. His meaning of course was that he would not supply them with evidence which might possibly be used against him. On being again removed and called in he was told that he had not given the satisfaction required by the Act of Parliament and could not sit in the Council, and the hint was dropped that his action had entailed results which would be serious for

[1] Wodrow, *History*, vol. III, p. 8.

him. To this he replied that the Act in question was merely meant to exclude those who refused the Test from offices of trust. He was, therefore, in no danger of suffering more than such exclusion. He added: "I have served His Majesty faithfully within doors and I am resolved to doe so without doors." With that he bowed and retired.[1]

The next day he waited upon the Duke and protested against the way in which he had been treated, and asked what harm was in the words he had used. To this the Duke replied that the explanation had been unnecessary, as the scruples that prompted it had been quite groundless, for the Oath did not "bind up" those who took it in the way spoken of. In the close of the conversation his malice and resentment could not be concealed. "The Earl and others," he said, "had designed to bring trouble upon an handfull of poor Catholicks, that would live peaceably however they were used, but it should light upon others." On parting he told the Earl that he was not to leave town till he saw him again, and received his promise to obey the injunction. Greatly to the Earl's mortification the clerk of the Council came to him on the same evening, it being Saturday, with an intimation from the Council to the effect that he must not leave town before their meeting on the following Tuesday. On the Monday morning he waited on the Duke again, and asked what the message from the Council meant. The Duke said that he knew nothing of it, but that the Council when they met would explain matters. On Tuesday, November 8th, 1681, their meeting took place and an order was sent to Argyll by one of the clerks to surrender himself to the Deputy-Governor of Edinburgh Castle by twelve o'clock of the following morning, and at the same time a warrant was sent to the latter ordering him to retain the Earl as a prisoner.[2] The words "in sure firmance," i. e. in strict confinement,

[1] *Case of the Earl of Argyle*, p. 10 : Wodrow, *History*, vol. III, p. 317.
[2] Fountainhall, *Historical Notices*, vol. I, p. 336 : Brodie, *Diary*, p. 464.

usual in documents of this kind, were struck out. The Lord Advocate, Mackenzie, was instructed to prosecute him for treason or other crimes involved in the written explanation concerning the Test which he had handed to the Council. The Earl obeyed the order with due submission, and departed alone in a hackney coach to give himself up. Some of his relations and "persons of quality" wished to accompany him, but he declined to allow them. "Had he been pursued," he said, "at the instance of any other, he would accept of their civility, but seeing he was pursued at the instance of His Majestie's Advocate he would go in the most humble way that he could think on, and have nobody concerned but himself." [1]

The same day on which Argyll was ordered to give himself up as a prisoner, the Council wrote to the King concerning the matter. They said that they had been unanimously of the opinion that the paper given in by the Earl "had in it gross and scandalous Reflections upon that excellent Act of Parliament, making it to contain things contradictory and inconsistent, and thereby depraving your Majestie's Laws, misrepresenting your Parliament, and teaching your Subjects to evacuate and disappoint all Laws and Securities that can be enacted for the preservation of the Government." [2] They also reported what they had done in the matter. The King replied expressing full approval of all their proceedings, and authorizing them to do everything necessary in carrying out the prosecution; but he ordered that, at the conclusion of the process and before sentence had been pronounced, notice should be sent him of the verdict arrived at in order that he might signify to them his further pleasure in the matter. [3]

A few days after the Earl had entered the Castle he wrote to the Duke of York saying that he had obeyed

[1] *Case of the Earl of Argyle*, p. 11.
[2] *Ibid*, p. 51.
[3] *Ibid*, p. 52.

his orders and those of the Council in giving himself into custody, but that he had hitherto abstained from writing, in order that he might not be thought too impatient under the punishment inflicted upon him—the effects of a high displeasure which he hoped he in no wise deserved. He said that he was resolved to continue in all duty and obedience to His Majesty and to His Royal Highness, and to come short of no profession of loyalty to them which he had ever made, and he begged to know what satisfaction was expected from him and how he might regain the favour which he had apparently forfeited. The only reply was an interim summons charging him with "leasing-making and depraving of laws." After an answer to the Council's letter had been received from the King, a second summons, adding to these crimes those of treason and perjury, was delivered to him with the sound of a trumpet.[1] At the same time it was given out to the public and intimated to the Earl that no more was intended than to humble him and to deprive him of the heritable offices held by him. Of course if he were found guilty of the offences with which he was charged, the penalty would be death and the forfeiture of honours and possessions. On some one's remarking to the Duke of York that it was hard measure to threaten a man's life and fortune by such a process on the grounds on which this had been instituted, he exclaimed: "Life and fortune? God forbid."[2] Yet as a matter of fact the full sentence of death and forfeiture was not only pronounced upon him, but was that under which he suffered.

According to the law of the time advocates who undertook the defence of prisoners charged with treason and kindred crimes could only do so at their own risk. They were themselves liable to prosecution, if in their zeal on behalf of their clients they uttered language

[1] *Case of the Earl of Argyle*, p. 11: Fountainhall *Historical Notices*, vol. I, p. 339.
[2] *Ibid*, p. 12.

which the Government might resent. The result was that it was sometimes difficult to get advocates to defend such cases. In order that prisoners might not be deprived of help in what might be a time of deadly peril they had the right of petitioning the Privy Council to appoint an advocate, and a person thus "allowed and warranted" was protected in the discharge of his duty. The Earl wished Sir George Lockhart, probably the most distinguished lawyer who had up to this time appeared at the Scotch bar, and who was his ordinary agent in Court, to undertake his defence.[1] Lockhart was willing enough to do so but knew that his taking up this case might ruin his professional prospects. The Duke of York had said of him: "If he pleads for Argyll he shall never plead for my brother or me." Accordingly he formally refused, and the Earl addressed a petition to the Privy Council requesting them to order Lockhart to take up his case and to grant him the protection usual on such occasions. The Privy Council, however, declined to do more than to give a general permission to advocates to appear for him. A second petition of the same nature was equally fruitless. Thereupon the Earl by formal instrument required Lockhart to take up his case and thus secured for his advocate some measure of justification in the matter.

Sir John Dalrymple, Lauder, and other prominent counsel were also retained for the defence. A document which they signed exposed them afterwards to the anger of the Privy Council—a fact which proves that the risk involved in assisting a prisoner accused of treason was by no means imaginary. In this document they declared their opinion that the Earl's explanation could not bear the construction put upon it by the Lord Advocate, and that in view of the fact that it had been accepted by the Privy Council, and that many other persons had been

[1] Sir George Lockhart was afterwards appointed President of the Court of Session. In 1689 he was assassinated in the High Street of Edinburgh by John Chiesley of Dalry, a disappointed litigant.

permitted to aver objections to the oath, the proceedings taken against him were "altogether strained and unwarrantable".[1] The document in question was simply an expression of "the opinion of Counsel", which is often sought in civil cases, though perhaps but seldom in criminal, and was probably meant to mark out the line of defence in the case. Whether accidentally or maliciously divulged it seems to have irritated the authorities; but, though proceedings were threatened against the signatories, no action was taken. There can be no doubt that the procedure of the Privy Council indicated something like petty spite and an inclination to intimidate the Counsel whom the accused might employ. One of those who signed the above document was James Stewart, son of Sir James Stewart, Provost of Edinburgh. He was an advocate who had already fallen under the displeasure of the Government for the part he had taken in drawing up a statement of the grievances of Scotland under Lauderdale's administration. His conduct had recently been condoned, but as he had not taken the Oath he was unable to plead in court. He secretly drew up a statement of the Earl's case and sent it up to London for the consideration of the Government. His apprehension was thereupon ordered, but he succeeded in escaping into Holland, where he afterwards drew up the *Declaration* which Argyll and his associates issued on their invasion of Scotland. After the Revolution he was appointed Lord Advocate.[2]

[1] *Case of the Earl of Argyle*, pp. 57, 60: Law, *Memorialls*, p. 209: Fountainhall, *Historical Notices*, vol. I, p. 342: Wodrow, *History*, vol. III, p. 321.
[2] Wodrow, *History*, vol. IV, p. 232n.

CHAPTER XIV.

Trial of the Earl of Argyll—His condemnation—Escape from Edinburgh Castle—Popular indignation at the Trial and Sentence—Argyll's journey south by Torwoodlee and Newcastle.

On Monday, December 12th, 1681, the Earl appeared before the Court of Justiciary. He came down in a coach accompanied by the Governor of the Castle,[1] and for the second time in his life was tried on a capital charge. His present judges were the Justice-General, the Earl of Queensberry, and Lords Nairn, Collington, Forret, Newton and Kirkhouse. Considering the importance of the case the proceedings were not lengthy. They began at 10 o'clock in the morning and continued till 9 o'clock at night, and were concluded by a short sederunt on the afternoon of the following day. Immediately after the indictment had been read the Earl made a powerful and affecting speech in defence of himself.[2] In it he referred to his life-long loyalty to the King, and to the services he had rendered to him since he had entered public life as a Colonel in his footguards. "I have," he said, "from my youth made it my business to serve His Majesty faithfully and have constantly to [the best of] my power, appeared in his service, especially in all times of difficulty, and have never joined nor complied with any interest or party contrary to His Majesty's authority, and have all

[1] Law, *Memorialls*, p. 109.
[2] *Case of the Earl of Argyle*, p. 60.

along served him in his own way, without a frown from His Majesty these thirty years." He dwelt at some length upon the steadfastness with which he had supported the royal cause in the time of the Commonwealth, and the aid which he had given to the Earls of Glencairn and Middleton in the Highland rising after the Battle of Worcester. He spoke with gratitude of His Majesty's goodness to him in 1662 as a mark of confidence which had been amply justified by the subsequent tenor of his life. "His Majesty," he said, "was not only pleased to pardon my life, and to restore me to a title and fortune but to put me in trust in his service in the most eminent judicatories in this kingdom, and to heap favours upon me far beyond whatever I did or can deserve, though I hope His Majesty hath always found me faithful and thankful, and ready to bestow all I have, or can have, for his service; and I hope never hath had or shall have ground to repent any favour he hath done me. And if I were now really guilty of the crimes libelled, I should think myself a great villain." After recounting the various acts in his public life which illustrated his zeal for His Majesty's service, from the suppression of the Pentland rising down to his recent support of "the lineal legal succession of the crown", he dealt with the matter on which his accusation was based. The words at which offence had been taken had been spoken, he said, in absolute innocence and without the least design, except for clearing his own conscience, and were not "capable of the ill sense wrested from them by the libel." He also pointed out that scruples had been started, as all knew, by Bishops and Synods, and that a treatise had been read over in the Council by a Bishop, which contained all the expressions on which he had been charged, and many others which might be still more easily made to yield an evil sense. In conclusion he said: "I leave my defences to these gentlemen that plead for me, they know my innocence, and how groundless that libel is. I shall only say, as my life hath most of it been spent in serving and suffering

for His Majesty, so, whatever be the event of this process, I resolve, while I breathe to be loyal and faithful to His Majesty. And whether I live publicly or in obscurity, my head, my heart, nor my hand shall never be wanting where I can be useful to His Majesty's service, and while I live, and when I die, I shall pray, that God Almighty would bless His Majesty with a long, happy and prosperous reign; and that the lineal legal successors of the crown may continue monarchs of all His Majesty's dominions, and be defenders of the true primitive, Christian, apostolic, catholic, protestant religion, while sun and moon endure. God save the King."[1] He then gave into the Court four letters to testify to his unstained loyalty. The first of these was a letter wholly written in Charles II's own hand and signed by him. This was dated from Cologne, December 30th, 1654, and acknowledged the "affection and zeal" shown to his service.[2] Two letters were from Middleton, written a few months later in which the then Commander-in-Chief of the royal forces in Scotland declared most effusively his high appreciation of Argyll's conduct all through the struggle with the forces of the Commonwealth. To these was added a similar document written by Glencairn in quite as cordial terms to testify to his "eminence and worth".[3] Thereafter speeches for the defence and for the prosecution were made by the advocates engaged in the case.

In order to understand the course of the trial we need to keep in mind that the process consisted of two distinct parts. The first was a discussion before the judges above named with regard to what is called in Scots law "the relevancy of the libel," i. e. on the point of law whether actions of the kind alleged against the prisoner involved the guilt of "leasing-making". The decision on this matter given by the judges was called their "interlocutor," and virtually decided the case. The second and more

[1] *Case of the Earl of Argyle*, p. 60: Wodrow, *History*, vol. III, p. 321.
[2] For a fuller report of this letter see pp. 61, 76.
[3] *Case of the Earl of Argyle*, p. 65.

formal part of the process was a trial by jury to deal with the mere matter of fact as to whether the prisoner had committed the actions alleged. Sir George Lockhart, in an able and lucid speech which lasted for three hours denied that a man's clearing his own conscience had any connexion with those words and actions "tending to beget discord between the King and his subjects and to the reproach and dislike of his government," which the law condemned with such severity. Argyll's conduct he declared had been the exact opposite of these "subdolous, pernicious and fraudulent proceedings." "When he was called," he said, "and required by the Lords of His Majesty's Privy Council to take the Oath he used no reproachful speeches of the said Act of Parliament or of His Majesty's Government, but did humbly with all submission, declare what he apprehended to be the sense of the Act of Parliament enjoining the Test, and in what sense he had freedom to take the same." The expression of such conscientious scruples was, he reminded the Court, not merely permissible but a duty, as all Divines and casuists, both Roman Catholic and Protestant, testified. He also pointed out, as Argyll had already done, that many others had accused the Act of contradictions and inconsistencies and that it had not been suggested that they had been guilty of criminal conduct and should be prosecuted for it[1].

The Lord Advocate, on the part of the prosecution, declared in his "argument and plea" that this "excellent Test" had been drawn up to secure the Protestant religion and the crown, and that in it "in order that the old juggling principles of the Covenant might not be renewed, wherein they still swore to serve the King in their own way, the Parliament did positively ordain that this Oath should be taken in the plain genuine meaning of the words, without any evasion whatsoever." Argyll, he said, had simply invented a way of evading it, and the reproach this cast upon the law, he held, made such action

[1] Wodrow, *History*, vol. III, p. 323: *The Case of the Earl of Argyle*, p. 66.

of the kind specified in the indictment. If this were indeed so, the fact that many others had been guilty of the like conduct was no excuse for him. The charge of perjury, he explained, was based upon the fact that that crime was committed not merely by breaking an oath but by swearing it with such evasions as made it ineffectual. Sir John Dalrymple then spoke in defence of the Earl's innocence and discussed with great pains the nature and obligations of oaths. The replies, duplies and triplies of the advocates for and against Argyll are still extant but cannot be said to be very interesting reading. They suggest ceaseless motion without progress like that of persons on a treadmill. [1]

The public hearing of the case concluded, as we have said, at nine o'clock in the evening, and then the court was adjourned to the afternoon of the next day, but the judges remained to prepare their interlocutor—a task which occupied them until two o'clock of the following morning. Only four of the Lords had been present with the Justice-General all through the proceedings. The fifth, Lord Nairn, " an old, infirm gentleman, " who for a considerable time past had been unable to take his share of judicial work, had gone home soon after the debate had begun. Of the four judges the Lords Collington and Kirkhouse were against the relevancy of the libel, while the other two, the Lords Newton and Forret were in favour of it. The Justice-General might have given his casting-vote but he was in the awkward position of having himself made an explanation on taking the Test. On that occasion he had declared that he did not think himself pledged by the oath against alterations in the government of Church or State, if it should please His Majesty to make them. [2] The explanation seems both slight and fatuous, but the fact of having made an explanation was sufficient to embarrass a judge who was expected and who perhaps desired to pass a death-sentence

[1] Wodrow, *History*, vol. III, p. 76.
[2] *Ibid*, p. 38.

in the present case. The Justice-General, therefore, decided to send for Lord Nairn. The "old, infirm gentleman" was roused from sleep in the middle of the night, taken up and dressed and brought into court, in order that, as Wodrow says, "numbers might supply the want of law and reason." As he had not been present at much of the debate, the clerk was ordered to read over the reasonings to him. He fell asleep "among their hands" while this was being done. However, as he knew how to vote he was wakened again to perform this action, and thus Argyll's condemnation was secured. [1] The scene suggests the trial of Faithful in Vanity Fair when Mr. Blindman was the foreman of the jury and said of the prisoner: "I see clearly that this man is an heretick." It is rather worse, indeed, for the foreman in question had, we may presume, heard what had been said for and against the prisoner. So ludicrous were the circumstances of the trial that we think it would be absurd to occupy time with any discussion of the merits of the case. The mere fact that Argyll's enemies secured a death-sentence by such an abominable travesty of justice reduces their proceedings to the level of those of a set of brigands who might insult their victim by a mock trial before stripping him of his property.

On the following afternoon the interlocutor was read in court and the Lord Advocate proceeded to the proof. A jury of fifteen was selected out of a list of forty-five, and was presided over by the Marquess of Montrose. Among them it is interesting to notice, was Claverhouse. [2]

[1] Rose, *Observations on Mr. Fox's Historical Work*, p. 188n: Wodrow, *History*, vol. III, p. 336.

[2] The authoress of *The Despot's Champion* speaks of the presence of Claverhouse and the Marquess of Montrose on the jury that convicted Argyll as being "simply iniquitous" (p. 101). The proceedings, however, were so purely formal that it was a matter of very little consequence whether the members of the jury were friendly or hostile to the Earl. Had the jury consisted of his friends and clansmen, they could have found no other verdict than that actually given, viz: that it was the case that the Earl had committed the action alleged against him and now decided by the judges to be treasonable. The silly fancy as to a traditional enmity between the House of Campbell and that of Graham has already been exploded by us in connexion with the incident at Moray House.

Three witnesses testified that the Earl had given an explanation at the time of taking the Oath, and this concluded the proceedings. There was no dispute as to the matter of fact. Neither Argyll nor his counsel had any desire to make any further defence or to protract proceedings, as after the interlocutor which had been given all further pains would be in vain. The jury after a short time brought in their verdict. They unanimously found Argyll guilty of treason and leasing-making, but by a majority acquitted him of the charge of perjury. The Privy Council thereupon wrote to the King acquainting him with what had been done, and asking him to give orders for the sentence of death and forfeiture to be pronounced. They also gave it as their opinion that His Majesty after sentence should "sist" [i. e. delay] procedure during his pleasure.[1]

The trial was followed with the keenest interest by the Duke of York. On the day when the verdict was brought in he wrote to Lord Dartmouth: "Lord Argyle's trial began yesterday and their forms in the justice court are so tedious that they could not make an end of it then, but will as I believe this evening; and I have reason to believe the jury will find the bill and not *ignoramus*[2]; and that that little Lord will be once again at His Majesty's mercy." At a later hour he adds: "Since I wrote this, I have had an account, that the jury, of which the Marquis of Montrose was Chancellor, as they call them here, have found Lord Argyle guilty of treason and other crimes, so that he is absolutely in His Majesty's hands."[3] His exultation would have been lowered if he had realized that the infamous trial to which the Earl was subjected was one of the things which contributed most to the overthrow of the Stewart dynasty in Scotland. "No

[1] Wodrow, *History*, vol. III, p. 337: *Case of the Earl of Argyle*, p. 85: Fountainhall *Historical Notices*, vol. I, p. 341.

[2] This is an allusion to the verdict on Shaftesbury when tried for High Treason on Nov. 24th, 1681. The foreman of the jury wrote *Ignoramus* on the back of the bill of indictment.

[3] Dalrymple, *Memoirs*, vol. II, p. 67.

sentence in our age," says Burnet, "was more universally cried out on than this. All people spoke of it, and of the duke who drove it on, with horror..... Lord Argile's business made him be looked on as one that would prove a terrible master when all should come into his hands." [1] So widespread and strong was the blame which the public attached to the Duke of York in connexion with this matter that it made an impression even upon his apathetic nature. Shortly after writing the letter above quoted he wrote again to the same correspondent but in chastened and apologetic terms. "I find," he says, "by yours of the 27th of last month, that people take all the pains they can to tax me with severity in this affair of Lord Argile's: it is not the first wrong of that kind which has been done me, as those who are acquainted with the laws of this country know very well: he has but to thank himself for what has happened to him; and to show you what wrong is done me, if I had not hindered his being fallen on in Parliament, they had brought him there, in as ill condition as to fortune, as he is now." [2] Our readers have been informed in the foregoing pages as to the matters to which the Duke alludes in these last sentences. The meanness and craven hypocrisy which mark his words seem to us very detestable. They can, however, only surprise those who are unfamiliar with his career.

Even if Argyll were in no immediate danger of execution his position was extremely precarious, as, indeed, must be that of anyone who is under sentence of death and knows that the question whether that sentence shall or shall not be carried out depends upon the will of an ungrateful and treacherous prince. The scandal, indeed, occasioned by the trial rendered the Government sufficiently odious without their outraging public opinion by shedding his blood. "I know nothing of the Scotch law," said Halifax to Charles II with a sneer, "but this I know that we should not hang a dog here on the

[1] *History of My Own Times*, vol. I, pp. 521, 523.
[2] *Ibid*, p. 522n.

grounds on which my Lord Argyle has been sentenced."[1] The Duke of York, who was undoubtedly responsible for pushing on the trial, declared that it was not intended to execute a death-sentence but to use it as a means of coercing the Earl into the surrender of the extensive jurisdictions and rights to which Lauderdale had restored him and by which he became really master of the Highlands. This purpose James is said to have avowed to the King,[2] and he and his apologists afterwards asserted that nothing more than this was contemplated.[3] The question so far as the Duke of York is concerned has been stated by Macaulay in incisive terms. "Whether James designed" he says, "as his enemies suspected, to commit murder, or only, as his friends affirmed, to commit extortion by threatening to commit murder, cannot now be known."[4] The shamelessness with which James speaks of Argyll's case as a device for stripping him of his power and privileges renders it difficult to believe that he had any honour or conscience left, and deprives his statement that the prisoner's life was not aimed at, of all credit. Certainly Argyll himself was fully convinced that his death was resolved upon, and his opinion was shared by many others. "A person of quality," whom he does not name declared to him on his honour that he had heard one who was in great favour with the Duke say to him that the thing must be done, and that it would be easier to satisfy the King about it after it was done, than to obtain his leave for doing it.[5] The Marquess of Argyll had been executed before a death-warrant had been received from London,[6] and the Duke as Royal Commissioner might be inclined to follow that precedent.

[1] Fountainhall, *Historical Observes*, p. 55.
[2] Burnet, *History of My Own Times*, vol. I, p. 521.
[3] Macpherson, *State Papers*, vol. I, p. 123 : Clarke, *Life of James II*, vol. I p. 709.
[4] *History of England*, vol. I, chap. 5. The felicity of the above statement inclines one to employ the malediction of Donatus : "*Pereant illi qui ante nos nostra dixerunt.*"
[5] Burnet, *History of My Own Times*, vol. I, p. 522.
[6] *The Great Marquess*, p. 322.

Many suspicious circumstances combined to confirm Argyll in the surmise he entertained that there was evil determined against him. He heard on Monday, Dec. 19th, that the messenger sent by the Privy Council to the King was expected to return on the Thursday of that week, and that the Justiciary Court, which in ordinary circumstances would have been adjourned on account of Christmas to the first week of January, was to meet the day after the return of the messenger, in order to pass sentence immediately on receiving the royal letter. The fact was communicated to the prisoner that the Duke had said that if the messenger did not arrive in time, he would take upon himself to pronounce sentence.[1] An ominous indication of what that sentence was likely to be was implied in the Duke's refusal to grant Argyll an interview in spite of his repeated entreaties—it being an unwritten rule that the Sovereign or his representative should not admit one to an interview whose life was to be forfeited.[2]

Late on Monday evening the Earl began to consider whether it would not be advisable to attempt to escape from the Castle, but he could come to no definite decision upon the matter. At noon on Tuesday, however, he heard that a considerable body of troops, both horse and foot, had been brought into the city, and that rooms were being prepared for him in the common jail, whither he was to be taken the next day—an arrangement usually made in case of an execution.[3] His friends decided to urge upon him the necessity of immediately attempting to escape from the Castle, and they planned means by which he might make his way to London, if he thought fit to go thither. One of them, a Mr. Scott, minister of Hawick, was sent up to the Castle to inform him that horses would be in waiting

[1] *Case of the Earl of Argyle*, p. 122.

[2] James II afterwards violated this rule by admitting Monmouth to an interview after the Battle of Sedgemoor.

[3] *Case of the Earl of Argyle*, p. 122.

for him outside of Bristo Port, one of the city-gates on the south side, from dusk until ten o'clock, the hour when the Castle closed. The plan was that he should ride on to Lauder and there get fresh horses on to Torwoodlee, the place of residence of one of his friends named Pringle, who would furnish him with horses and a guide across the border into Northumberland. The Earl at first demurred to this proposal, perhaps being uncertain as to whether London would be the best place of refuge, but on second thoughts he resolved to adhere to it. About five o'clock in the evening he sent word by a trusty servant to his step-daughter, Lady Sophia Lindsay, as to the final arrangements for smuggling him out of the Castle. She was instructed to come up at once to see him and to bring a page in livery to carry her train, and another servant with a lantern to light her on her way to the Castle and back home.[1]

Some letters which he received from London about six o'clock confirmed him in his resolution. He had despatched a messenger to Court, with instructions to ride northward with all speed as soon as the King's mind with regard to the Council's letter could be known. This man made the journey with great expedition and got into Edinburgh twenty-four hours before the arrival of the royal messenger. From the information which he brought, the Earl learned that the death-sentence was to be passed upon him, and that the execution of it was to be delayed during the King's pleasure.[2] No one knew better than Argyll how uncertain his tenure of life now was, and how easily the King would condone any excess of zeal on the part of his brother, if the latter should give orders for the immediate execution of the sentence. Word was brought him by a friend that instructions had been given for watching him more strictly, that the

[1] *Veitch MS.* in possession of His Grace the Duke of Argyll. This *MS.* is dated July, 1718, and was written or dictated by Veitch himself who died in May, 1722. It contains a fuller and better text than that of the *MS.* used by Dr. McCrie in his edition of Veitch's *Memoirs.*

[2] Wodrow, *History*, vol. III, p. 337.

Castle guards were doubled, that no persons were permitted to go out of the Castle without showing their faces, and that even some ladies had been thus closely scrutinized, and he was advised to abandon the idea of escape as impracticable. He replied that he would certainly make the attempt and that without delay.[1] Lady Sophia, his step-daughter and daughter-in-law, who had obtained permission to pay him a visit of half an hour's duration arrived in the prison about seven o'clock in the evening. A servant carrying a large lantern attended her and a page bore her train. The latter was "a tall, awkward country-lad, with a fair wig and his head tied up as if he had been engaged in a fray".[2] Immediately on entering the cell he and Argyll exchanged clothes, and the garments which fitted the page were found to suit the Earl, who was a short man.

When the allotted time for the visit was over Lady Sophia with many tears bade farewell to her supposed step-father and with dignified, slow pace made her way out of the Castle, her page holding up her train, and the servant with the lantern following immediately behind. The darkness of the winter night was in favour of the conspirators. The first sentry they met questioned them "pretty warmly" but finally let them pass. They were allowed to proceed unchallenged by the mainguard, but then, we are told, "after the great gate was opened and the lower guard drawn out double to make a lane for them, one of the guard who opened the gate took Argyll by the arm and viewed him." Upon this the servant following with the lantern exclaimed, "What the devil ails the fellow at the page?" and the inquisitive soldier let him go.[3] Tradition says that Lady Sophia aided in distracting the soldier's attention by twitching her train out of her page's hand and then scolding him for letting it fall in the mud. When they were safely out of the

[1] *Case of the Earl of Argyle*, p. 122.
[2] Lindsay, *Life of Lady Anna Mackenzie*, p. 116.
[3] *Veitch MSS.*

Castle, Argyll parted company with his daughter at the Weigh House, at the foot of the Castle Hill, and leaning on his servant's arm went down the West Bow, through the Grassmarket and Candlemaker Row and out at Bristo Port. Here he found the horses and the servant who was to accompany him on his journey. His feet were wet with walking in thin shoes through the mud and slushy snow, but he did not stop to put on dry stockings and riding-boots, which the servant had brought for him, until they had gone a little distance on their way. When they were opposite to Craigmillar Castle he alighted and put them on, leaving the others under a bush, and then he and his servant rode with all speed on their journey southwards.[1] It was a dark night, as the moon was in her third quarter and did not rise till about eleven o'clock.[2] So the fugitives had the advantage of a good start in circumstances which rendered pursuit of them a matter of difficulty.

Lady Sophia was punished for her share in the exploit by a term of imprisonment. So great was the anger of the Privy Council at Argyll's escape that it was actually proposed by some of its members that she should be scourged through the streets of Edinburgh. This infamous proposal suggests either that the "Scottish Cavaliers" had for the moment forgotten their gentlemanly instincts, or that the idea of their being superior in these matters to Covenanting neighbours is the figment of some modern romancers and ballad-mongers. The proposal in question was negatived by the Duke of York, who remarked "that they were not used to deal so cruelly with ladies in his country."[3] One would have thought more highly of this chivalrous utterance if he had not

[1] *Veitch MS:* Law, *Memorialls*, p. 210: Lindsay, *Life of Lady Anna Mackenzie*, p. 116. We are convinced that the particulars given in the *Veitch MS.* were communicated to the author by the Earl himself, and consequently are superior in authority to the narratives of later writers.

[2] For this item of information we are indebted to F. W. Dyson, Esq., of the Royal Observatory, Edinburgh.

[3] Lindsay, *Life of Lady Anna Mackenzie*, p. 118 · Macpherson, *State Papers*, vol. I, p. 13.

three years after signed the death-warrant of Mrs. Gaunt who was burned to death at Tyburn for a deed similar to that of Lady Sophia's.

The letter from the King arrived on the day following Argyll's escape (Decr. 21st), and it was in accordance with the expressed desire of the Privy Council that a sentence of death and of the forfeiture of titles and property should be pronounced, and that the execution of it should be deferred until further instructions. The same day a warrant was issued for the apprehension of the culprit. In this document it was asserted that he had added "the breach of prison to his other crimes, without waiting for that clemency which he might have relied more upon, if he had not been conscious to himself of guiltiness that required such an escape." [1] Strictly speaking it was *ultra vires* for the Court of Justiciary to do more than to declare Argyll a fugitive and outlaw. The sentence of forfeiture of life and goods in the case of treason could only, in the absence of the party, be legally pronounced by Parliament. This consideration was urged by a section of the Council who were inclined to a moderate course, and they further pointed out that it was a maxim in law "that in criminal actions there neither is nor can be any other conclusion of the cause than the party's presence and silence." [2] The majority of the Council, however, ignored these considerations, and their decision was presented to the Court of Justiciary which at once pronounced sentence in the case. The Countess of Argyll gave in a petition humbly craving that this be not done in her husband's absence, but no notice whatever was taken of it. So illegal were the proceedings that the Parliament after the Revolution not only repealed the Earl's attainder, but allowed his son to bring an action for damages against those judges, or their heirs, who had condemned his father. On Thursday, Decr. 23rd, 1681, the sentence was proclaimed at the Market Cross of

[1] Wodrow, *History*, vol. III, p. 339.
[2] *Ibid*, p. 340.

Edinburgh, with the formalities of the blowing of trumpets and the defacing of the offender's coat-of-arms. As this last procedure was part of the execution of the sentence, which had been expressly suspended in the instructions sent from the King, it was distinctly illegal.[1] Yet one need not be surprised at its being ordered by the authorities, for legal pedants in all ages are accustomed, when it suits their purposes, to make short work of legal pedantry.

The Government had succeeded in ruining Argyll and in driving him out of the country, but their own credit had been profoundly shaken by their proceedings, and the public scorn was not long in expressing itself. In the Christmas festivities of this year the figure of the Pope which was burned at the Market Cross—the place of execution—had a copy of the Test Oath in one of its hands. A more elaborate affront was perpetrated by the children at one of the Edinburgh schools, as Sir John Lauder tells us. "The children of Heriot's Hospitall," he says, "finding that the dog which keiped the yairds of that Hospitall had a public charge and office, they ordained him to take the Test and offered him the paper; but he, loving a bone rather than it, absolutely refused it. Then they rubbed it over with butter (which they called ane Explication of the Test in imitation of Argyle), and he licked of the butter but did spite out the paper, for which they held a jurie on him, and in derision of the sentence against Argyle, they found the dog guilty of treason and actually hanged him." Sir John is wrong in the last mentioned detail, for the broadside which tells the story says that the parallel with Argyll ran still further and that the dog escaped. The allusions in the burlesque narrative to the Earl's adventure are amusing. "Matters being thus praecipitat," says the broadside, "and all hopes of reprieve uncertain, a wylie loun advised him to lay by the sheep's (which had done him so little good) and put

[1] Wodrow, *History*, vol. III. p. 341.

on the foxe's skin; and so covertly, through fear, hiding his own tail between his legs, and griping another's train, he passed through all the gates undiscovered and so is a-missing." Some uncomplimentary allusions to Argyll's fair hair and low stature are contained in the hue-and-cry said to have been issued after the missing dog; for the document runs, "Whereas, ane cutt lugged, brounish coloured Mastiff Tyke, called Watch, short leged, and of low stature," etc. It concludes with an offer of £500 Sterling for his apprehension—the same sum as had been offered in the case of the Earl. [1]

Meantime the latter succeeded in reaching a place of security. The safest place of refuge would have been in the Highlands among some of his loyal clansmen; but the attempt, which was certain to be made to apprehend him, would in that case have undoubtedly occasioned disorder and bloodshed. To avoid such a contingency he determined, in accordance with the advice of his friends, to make his way to London. There the extraordinary influence and audacity of Shaftesbury would procure protection for such a prominent supporter of the Protestant interest. He would have liked to travel with such expedition as to arrive before the news of his escape had reached London, but he found this to be impracticable. Everywhere the news preceded him that he had broken out of the Castle and that a large reward had been offered by the Government for his apprehension. [2] The Earl was now in the class of "inter-communed" persons, and the terms of the proclamation issued concerning him give us an idea of the stringent treatment which was meted out to them. "We prohibit," said the document in question, "all our subjects of this our kingdom to reset, supply, or intercommune with the said earl or his accomplices, or to furnish him meat, drink, house, harboury or any other thing necessary or comfortable to him, or to transport him to or from ferries, under the

[1] Fountainhall, *Historical Observes*, pp. 55, 303.
[2] *Case of the Earl of Argyle*, p. 122.

pain of treason." [1] Fortunately for him, however, there were many "who were not afraid of the King's commandment."

On leaving Craigmillar, Argyll and his servant rode on their way through the winter night. They passed through Dalkeith, near which, at Newbattle Abbey, the Earl had first opened his eyes upon a world which he had found to be the scene of so many sorrows and labours. Thence they pressed on in a south-easterly direction to Lauder, the half-way house to the Border, and some twenty-four miles in a direct line from the capital. Here was the famous stronghold, guarding the King's Way to Edinburgh, once called Lauder Fort, but in recent times known as Thirlestane Castle. This was the seat of the Maitlands of Lauderdale, one of the most famous of whom had been so closely associated with Argyll during a large part of the reign of Charles II. Here they got fresh horses and a guide who was to conduct them to a change-house between Torwoodlee and Galashiels.[2] On leaving Lauder they turned almost due west, and on reaching Stow followed the road southward which winds along the bank of the Gala Water.

On his way to Torwoodlee, Argyll was careful to follow instructions, which had been given him by Mr. Scott, to ask his guide the name of every principal house which he passed. The object of this was to hinder his missing Torwoodlee and yet to avoid arousing the suspicions of his guide. The latter did not know that it was Argyll whom he was conducting but he might have guessed it, if he had asked for the residence of one so disaffected to the Government as Pringle was known to be. Torwoodlee lies at the junction of the Gala Water with the Tweed, and in due time it was pointed out to the Earl. On arriving at the change-house near it to which they had been directed, Argyll dismissed the guide, and sent his servant to Pringle's house, with instructions to give him the

[1] Wodrow, *History*, vol. III, p. 339.
[2] *Veitch MS.*

pass-word received from Mr. Scott. An hour before Argyll's servant arrived, Pringle, who was in bed, had told his wife of a dream he had just had, that the Earl had escaped from the Castle and that his servant had come to Torwoodlee with the news.[1] His wife reminded him of the danger of apprehension which hung over himself, for Pringle had the reputation with the Government of being "a great fanatic and of anti-monarchical, republican principles, from his infancy,"[2] and expressed her alarm on his behalf. A little while afterwards, when the knock came to the gate, Pringle rose and dressed himself and prepared to take refuge in a hiding-place, in case his wife's fears should turn out to be well founded. After a cautious parley Argyll's servant was admitted into the house and gave Pringle the password. "At which," we are told, "the Laird clapt his hands with joy and said 'O Stranger! good news! for none knows that token but other two and I—Argyle, Mr. John Scott and myself.'"[3] He at once ordered his servant, James Scott, to make ready three horses, two for the strangers and one for himself and to act as their guide to the house of a Mr. Veitch in Northumberland, who would conduct the Earl to London. He then went to the change-house, where he found Argyll. After embracing him and giving him directions as to his journey, he bestowed upon him all the gold in his possession and despatched him on his way.[4]

The Mr. Veitch to whom the Earl was sent was an able Presbyterian minister, who had for years past been one of the most zealous of the nonconforming clergy, and had officiated at innumerable conventicles and proscribed meetings, both in Scotland and in the north of England. He was a man of some means, and was now living at Stanton Hall, in the parish of Long Horsley, three miles or so from Morpeth. We do not know

[1] *Veitch MS.*
[2] S. P. Dom., Charles II, Jan. 20th, 1683.
[3] *Veitch MS.*
[4] *Ibid.*

exactly the route followed by the travellers, but most probably it was by Melrose and Kelso, and thence through Yetholm across the border to Wooler in Northumberland. On reaching this point they would strike the direct road that would lead them southwards to the place where Mr. Veitch's residence was.

The Earl, who had adopted the alias of Mr. Hope, arrived in safety at Stanton Hall, but found that Mr. Veitch was not at home. He had gone to Berwick to conduct some religious services, and while there the news came to the town by an express that the Earl of Argyll had escaped from Edinburgh Castle, and was probably on his way to London. Mr. Veitch, who was well known in Berwick, was at once suspected of being concerned in the matter, and it was only with considerable difficulty that he succeeded in making his escape from the town. The same night he was greatly alarmed by dreaming twice over that his house, more than thirty miles off, was on fire, and he resolved to make the best of his way thither. On arriving (Sat. Decr. 24th,) he was met by Pringle's servant with the news that Argyll had come thither and was anxious to see him, and that messengers had been despatched by Mrs. Veitch and by the Earl all over the country to seek for him. On meeting Veitch, Argyll, as the former tells us, addressed him "in a neat complimentary speech," [1] and requested his aid in the circumstances in which he was placed. This Veitch willingly agreed to give. He first of all got ordinary clothes for the Earl, as he was still wearing a page's livery, and then he sent away the two servants into Newcastle to remain there until further orders. No better guide for the journey could have been found than Mr. Veitch, as he was well practised in all the precautions and devices needed for eluding the dangers they were likely to encounter, and was acquainted with persons in the districts through which they would have to pass, on whom reliance might be placed in case of need.

[1] *Veitch MS.*

The first Sunday after his escape the Earl spent at Millburn Grange near Newcastle. Here his friend, Mr. Veitch, officiated at a conventicle in the house of a Mr. George Horsley, "a gentleman of family and fortune, who spared neither his pains, nor purse, nor person to serve the interests of religion among the despised Nonconformists." [1] One wonders what thoughts were in the Earl's mind as he sat among the worshippers in this proscribed meeting. If the excitement connected with his recent escape and the memory of his present danger did not fill his thoughts, some measure of thankfulness must have welled up within his devout soul to Him who had raised up so many faithful friends for him and brought him safely through so many strange vicissitudes. In a rhyming epistle which he afterwards sent to his stepdaughter Lady Sophia Lindsay, he says :

> "You came ane angel in the case to me,
> Expressly sent to guide and set me free.
> The great gate open'd of its own accord,
> That word came in my mind, I praise the Lord."

And he goes on to say :

> "When I was out I knew not where I went,
> I cryed to God, and He new angels sent.
> If ye desire what passèd since to me,
> Read through the book of psalms and think on me." [2]

[1] Palmer, *Noncon. Mem.*, vol. II, p. 257.
[2] Law, *Memorialls*, p. 211n.

CHAPTER XV.

Adventures of Argyll on his journey from Newcastle to London—The Smith family of Battersea—Major Holmes—Death of Lauderdale—the main incidents of his career—The position of politics in England—Shaftesbury—Viscount Granard—Argyll takes refuge in Holland.

The next day Mr. Veitch took his companion to the house of a friend, a Mr. Bittlestone who lived between Newburn and Newcastle. [1] This person was a tanner in the latter town and belonged to a family which had been for a long time identified with the Puritan Party in religion and in politics. He was a man of consequence and wealth, and his house, a little way out of town, as a place of retirement and privacy, was often a shelter to Nonconformist fugitives. [2] Soon after Mr. Veitch and his friend arrived the conversation turned on the Earl's escape from Edinburgh Castle. Mr. Bittlestone never for a moment suspected that the stranger in coarse dress was the fugitive in whose movements he and so many others were interested. On Mr. Veitch's saying that he was sure the news was true his host expressed great satisfaction. His wife, however, could not share it and from her lips Argyll heard an estimate of his public life which would have commended itself to many in Scotland, and which explains to a large extent the failure of his

[1] McCrie, *Memoirs of Veitch, etc.*, p. 133.

[2] Welford, *History of Newcastle*, vol. III, pp. 368, 370 : *Records of Hostmen of Newcastle*, Surtees So., vol. CV, p. 271 : *Life of Ambrose Barnes*, Surtees So., vol. L, pp. 196, 198.

enterprise in 1685. "I cannot" she said, "be so much taken up with these news as you are. I know that the House of Argylle was a good house for our Reformation, and his father suffered for it; but for himself, he hath been a member of that wicked, bloody Council these eighteen years, where many a wicked thing hath been acted and done. But above all, it was his wicked Vote that took away the Life of our worthy dear Friend, singular Mr. Cargill: and I am sure his blood may be heavy on him now, and make him have a melancholy Flight and Hiding." The Earl made no reply. Shortly after, she judged from his linen [1] and from a splendid watch he had left on his bedroom table, that her guest was a man of higher rank than his outer dress would seem to indicate. The thought flashed upon her that this must be Argyll himself, and she hastened to her husband to tell him her conjecture. He agreed that it was probably well founded, and regretted that she had spoken so plainly about the Earl's political shortcomings. The lady, however, was not to be silenced. She felt strongly on the matters in question and was determined to have her say out now that the offender had been delivered into her hands. At dinner the escape was again spoken of and the hostess, we are informed, "took the occasion to tell all the ill things she had heard about the Earl." Her guest merely remarked: "Argyll will not free himself of many of these things, but he is not so guilty of them all as the world reports him to be". Soon after, the disguise was dropped and plans were discussed for helping the Earl on his way to London. Mr. Bittlestone provided him with better clothes and gave him his gelding to ride upon. Next day he sped the parting guests on their way, his son John accompanying them for a stage of their journey. The youth showed him on his return a purse containing thirty guineas which the Earl had given him. His father was

[1] She noticed that his linen was "scented." We presume it had lain in lavender.

mortified at the gift, not only because it seemed to be payment for hospitality received, but because it seriously diminished the Earl's small stock of ready money. [1]

While Argyll was at Mr. Bittlestone's, his companion went into Newcastle and bought three fresh horses for the journey. In his narrative of the incident Mr. Veitch notes that these animals cost £27 Sterling, and that he paid for them out of his own pocket, "finding Mr. Hope scarce for money." [2] They then proceeded on their journey. In order to avoid attracting attention they occasionally sent the servants by one road while they themselves took another, and met them again at places previously fixed upon. On Thursday night (Dec. 29th) they arrived at Leeds, where Mr. Veitch had many acquaintances. On the following day they went towards Rotherham, hoping to lodge some few miles on the other side of it that night. The weather, however, which had been frosty became wet, and the rain fell freely. As the Earl complained of being drenched to the skin, it became necessary to stay at Rotherham all night. They found their way to a post-house, which they thought would be safer than an inn. Here they had an adventure which Mr. Veitch relates in the following terms :

"We were not well in our Chamber, and had got some faggots to dry us, when a Liveryman, well mounted, came to the gate, and calling for the Hostler, asked briskly, 'Came there not here some gentlemen shortly ?' Which put us all in a fear. But after enquiry we found that it was some Gentleman's servant, who having seen us before him on the road, and thinking we might call at the Post House and take up the best rooms, had sent this fellow to see ; which when they found it so, they by a good providence came not to our lodging. In the meantime Mr. Veitch, calling for a flagon of ale, and a bottle of wine and some bread, called for the Landlord and Landlady to drink with them,

[1] The above particulars are drawn from Walker's *Biog. Pres.*, vol. II, p. 51,
[2] McCrie, *Memoirs of Veitch, etc.*, p. 134.

with whom he had a mind to talk, asking for several gentry in the country, about how far they lived from this place, telling them they were relations to some of his neighbour gentry in Northumberland. This he did that they might know we were Englishmen, which happened well ; for while we were at supper the Post boy coming from Doncaster gave his master a letter from that Post master ; which after he had read, he at length reached it up to the table-head to Mr. Veitch, who was sitting there as the chief gentleman of the company, having Argyll's page, now in disguise, standing at his back. After Mr. Veitch had read it at great leisure, he was almost non-plussed what to think or say : of the narrative of the letter was to tell the Landlord that Argyll was escaped out of the castle, and that there was £500 Sterling bid for him to whosoever could apprehend him. 'Dear Billy', [the letter ran] 'if you find him and apprehend him in your Road, let me go snips with you, and if I find him you shall go snips with me !' Mr. Veitch broke out by way of laughter, and said : 'Mr. Hope, here are admirable good news for you and me. The Earl of Argyll is escaped, by these news in my hand ; we that are travelling southward may come to hit upon him ; for if he come to England, he will readily take by-ways, and if we hit upon him £500 reward will do us good service and bear our charges to London and back again : only I fear he rides much in the moonlight mornings. I could find it in my heart to give my Landlord a bottle of Sack to let his Hostler direct us early in the way to Clown,[1] or at least to the great Inn within five miles, and I promise him if we find the prize and get him legally apprehended he shall share of the reward'. To which the landlord answered : 'My hostler is at your honour's service'. Upon which Mr. Veitch called for a bottle of Sack to drink to their good success. They went early off in the morning and searched the next great inn, rapping rudely

[1] Clown is a small village in Derbyshire on the border of Notts.

at the door till the Landlord in his night-gown came to the window and said: 'Masters, what do you want?' Mr. Veitch replied: 'We want to know if you have any strangers lodged at your House this night; for we are informed that Argyll, a Scots nobleman, is escaped out of prison, and there's a great sum laid upon his head who ever apprehends him, therefore we must make bold to search this Inn'. Which he was willing we should do, and caused open the gates and we sent in the Hostler that came with us and one of our servants to search the Rooms, and found none. In the meantime we called for a flagon of Ale and a pint of Brandy and drank with the Landlord, and begg'd his excuse for the trouble we had given him: and after we had done Mr. Veitch gave the Hostler two shillings, and ordered him to tell his master what we had done and gave our service to him. And so we went forward to Clown, and lighted and took our breakfast in that place".[1]

The risk they had run rendered the travellers more cautious in their proceedings. They judged it unsafe to attract attention by travelling together as a party, and accordingly they sent the servants to stay at an inn in Nottingham, *The Plume of Feathers*, until they received further word, while the Earl and Mr. Veitch went on in the assumed characters of servant and master respectively. On Saturday (Jan. 1st, 1682) they arrived at Glapwell, near Bolsover, in Derbyshire, and they stayed here until the following Tuesday. This was an old haunt of Mr. Veitch's, and, as on former occasions, he officiated at a conventicle held in Glapwell Hall, the residence of a William Woolhouse.[2]

Mr. Veitch now grew very much alarmed at the

[1] *Veitch MS.* In this section of the MS. the text is much fuller than that of the *Memoirs* edited by Dr. McCrie.

[2] McCrie, *Memoirs of Veitch*, etc. p. 136. The next year (Feb. 7th, 1683,) Mr. Woolhouse's daughter, Elizabeth, married Mr. Samuel Hallowes. By this marriage the estate came into the hands of the present family. The present proprietor, R. Hallowes, Esq., informs us that the above mentioned Mr. Woolhouse was a Presbyterian, and that there was at that time a chapel in the grounds of Glapwell Hall, which was afterwards pulled down.

danger of identification which the Earl ran by being associated with himself, and accordingly he took into his counsels a Captain Lockyer, who had been one of Cromwell's officers, and was known to him as a man of resource and fidelity. He is spoken of as having been an associate of Colonel Blood's—a fact which no doubt implied the possession of desperate valour but not necessarily high moral or spiritual character. "This man", Veitch says, "generously offered to conduct my Lord Argyll safely to London, which he did." [1] Unfortunately the old Cromwellian did not write memoirs, so that we have no information with regard to the journey from the time that he appears upon the scene, beyond the fact that the hazardous undertaking was successfully accomplished.

Captain Lockyer brought the Earl to the house of a Mr. Smith, a sugar baker, at Battersea, which is spoken of as "four miles above London." This was the beginning of a friendship which, whatever pleasure it may have yielded in its course, ultimately proved the ruin of the Earl. For had it not been for the wealth placed at his disposal by these friends, he would not have been able to undertake his fatal expedition three years later. Mr. Smith was a wealthy man, who had no children, and who seems to have been almost a cipher in the household of which he was nominally the head. As, however, he died before 1685 it is possible that ill health may be the explanation of the insignificant figure he cuts in the story. His wife, "Madam Smith", as Veitch calls her, is described as "very pious, wise and generous"; and to her the secret was confided as to who Mr. Hope was—a secret which she kept both from her husband and from all others. When it afterwards became necessary for Argyll to find an asylum in Holland, Mrs. Smith persuaded her husband also to remove thither for other reasons than the political

[1] McCrie, *Memoirs of Veitch, etc.*, p. 137.

intrigues in which she was so deeply interested.[1] These latter, indeed, seem to have been matters to which he was wholly oblivious or concerning which he had never been informed.

The servants were summoned from Nottingham to London and instructed where to stay until further orders, while rooms at a good distance from each other were engaged for Mr. Veitch under the name of Captain Forbes and for Argyll as "an ordinary Scots gentleman" named Mr. Hope. These matters were arranged by Mrs. Smith through a Major Holmes, who already had had some connexion with Argyll, and was destined to be yet more intimately associated with him. Mrs. Smith had told the Major that her two friends desired to be "quiet and retired for a while", and on receiving word that the rooms were ready, sent her guests by night, under the guidance of a servant carrying a lantern, to Holmes's lodgings. Neither of them knew the Major, and so they were greatly amazed when on coming into the room he took the Earl in his arms and said: "My dear Lord Argyll, you are most welcome to me." Argyll was put out at being recognised and said. "Pray, sir, where did you know me?" On which the Major replied: "My Lord, I knew you since that day I took you prisoner in the Highlands when you were Lord Lorne and brought you to the Castle of Edinburgh. But now we are on one side, and I will venture all that is dear to me to save you." Thereafter he sent each of them to their separate lodgings where they remained in great seclusion until the storm had blown over a little. Care was taken to secure that Argyll's place of residence should remain a secret known to none but his friend Veitch and to Major Holmes.[2]

The Earl acted with great caution and discretion at this period in his career and delayed opening any direct correspondence with the political faction in London

[1] McCrie, *Memoirs of Veitch, etc.*, pp. 139, 145.
[2] *Ibid*, p. 139.

which was in opposition to the Government and professed to safeguard the Protestant interest. Shaftesbury expressed interest in his movements and made overtures to him through Mr. Veitch. The incident is worth relating and we give it in the latter's own words. "After some days", he tells us, "Mr. Veitch being well acquainted with the Earle of Shaftesbury went to pay him a visite. When he saw him he presently took him into his bed-chamber, leaving his company and sitting down together, he asked him what was become of my Lord Argyll. Mr. Veitch replyed: 'How should I know anything of that, my Lord?' Says he: 'I no sooner saw your face but I was persuaded you had brought him to town. For when I heard of his escape and considered with myself that he could not be so safe anywhere as in London, it was cast in my mind that you was the person that could safeliest conduct him hither.' Upon which Mr. Veitch told him that he was in Town but his Lordship behoved to keep it secret, which he promised to do and said he would serve him to [the best] of his power."[1]

We have already quoted from a rhyming epistle written by the Earl to Lady Sophia Lindsay—an epistle which is without much literary merit but which has value on other grounds. It is dated April 18th, 1682, and it is evidently the first written communication which he had ever ventured to send her. As in those days very few letters passed between London and Edinburgh and there was always a risk of their being opened and examined by the authorities, it is not likely that Argyll's epistle went by post. It was evidently written after the fear of arrest had abated, and at a time when the Earl was enjoying a measure of peace and comfort. Veitch tells us that about this time Mrs. Smith brought Argyll and him out to Brentford, seven miles from the City, "to stay at their new house."[2] This explains the allusions in the above letter.

[1] McCrie, *Memoirs of Veitch, etc.*, p. 140: *Veitch MS.*
[2] *Ibid.*

> " The noble friends I found here, greet you well,
> How much they honour you it's hard to tell ;
> Or how weel I am used, to say it all,
> Might make you think that I were in Whitehall. " [1]

It was now when fewer precautions were necessary for his concealment that the secret of the place of his residence in London leaked out. Some one who thought to curry favour with Charles II put a note into his hand telling him that if he wished, Argyll might be easily found. We are told that the King tore it up with indignation, saying " Pooh ! Pooh ! hunt a hunted partridge ! for shame ! " [2] We do not wish to deprive Charles of the credit of an act of generosity ; but there can be no doubt that at that time when political feeling ran very high, an attempt to apprehend a Protestant champion like Argyll would have been resisted by force, and that the King knew this. When the power of the Protestant faction was weakened, the Earl lost no time in escaping to Holland.

About this time Argyll heard of the death of Lauderdale [3], which took place at Tunbridge Wells on Aug. 20th, 1682. The last years of " that noble and extraordinary person ", the most learned and powerful minister of state of his age, had been unhappy. Apart from the burden of bulk and disease which oppressed him, and the insatiable greed of his wife which greatly impoverished his estate [4], he had many political mortifications to embitter him. He saw with sorrow and anger that his influence with the King diminished every day, and that the power of the Duke of York was in the ascendant. Some weeks before he died he was heard to use Cardinal Wolsey's words of lamentation at being shaken off in his old age by an ungrateful master. Yet after all, there was but little ground for the complaint, for it had been the favour of the King which had protected him from

[1] Law, *Memorialls*, p. 214n.
[2] *Biog. Brit*, vol. III, p. 198.
[3] Law, *Memorialls*, p. 234 : *Camden Miscellany*, vol. XI, p. 77.
[4] Kirkton, *History*, p. 315n.

disgrace and probably from death upon the scaffold. A few years before, when the Duke of Hamilton, and Monmouth, who was then all powerful with Charles, had combined against him, he had strengthened his position by advising the recall of the Duke of York from Flanders ; and when again it became necessary for the latter to leave England, Lauderdale had suggested his being sent down to Scotland and had promised him the support of his party there. Both of these measures had tended greatly to the advantage of the Duke of York, and Lauderdale no doubt expected some return in the way of gratitude. Certainly he received none. Apart from the fact that in the Stewart nature that emotion was neither spontaneous nor active, the Duke of York in the present instance could scarcely fail to ascribe all that Lauderdale had done on his behalf to prudential motives with a view to self-preservation. The vote which he had given in the December of 1680 against Lord Stafford as guilty of a share in the Popish Plot aroused against him James's hatred which, however skilfully veiled, was implacable. From the time that the Duke of York came to Scotland Lauderdale was virtually superseded, and his faction there was broken up. Some of them combined with York's friends to form what a contemporary annalist calls " a mongrel party " devoted to his interests, and others were driven from public life.[1]

Lauderdale's political career was very remarkable and a few words in the way of emphasizing the salient points in it may here be permitted us. Our readers will remember that he was not originally in favour of the re-introduction of Episcopacy into Scotland after the Restoration, and that this measure was largely due to the pressure put upon Charles by Middleton and Sharp and by the English statesmen then in office. For a time Lauderdale had need of all his political ability and cunning to retain his position as Secretary of State for Scotland. The overthrow of Middleton removed a great obstacle

[1] Fountainhall, *Historical Observes*, p. 75.

from his path, but he was not firmly seated in power until after the suppression of the Pentland Hills insurrection. He then broke up the combination of the military party with the Bishops, which had provoked that outbreak, and from that time forward to the day when his failing powers necessitated his giving way to a successor in the Duke of York, he kept a firm grip of the reins of government. His policy in civil affairs was very simple : he aimed at making the King absolute in Scotland, and at providing him with an army there that might, if occasion arose, be used by him in suppressing rebellion in England. A vizier with aims like these was sure of steady employment under a king like Charles. His first task after dissolving the Holy Alliance above referred to was to restore some semblance of law and order in the country. He then entered upon a policy of conciliation in dealing with the more rigid Presbyterians, the outcome of which was the first Act of Indulgence. The comparative failure of this attempt led to a return to harsh measures of repression. The fierceness with which Lauderdale trampled out all attempts on the part of the Episcopal clergy to manifest a spirit of independence, and his bringing in measure after measure of Indulgence to the "outed ministers," induced many even of the ardent Presbyterian party to regard him to the end as one who was not altogether unfavourable to them.

It is difficult in forming an estimate even of his political career to keep out of view his brutal, overbearing manners and the vices with which his life was stained ; but we think that his ecclesiastical policy was not altogether an unreasonable one. The clean sweep of the Revolution Settlement was impossible for him to effect in the circumstances in which he was placed. He would willingly have brought about a compromise between the two parties ; and when this was found to be impracticable, he curbed the arrogance of the Episcopal clergy and ameliorated to some extent the lot of those who had been so unjustly driven out of the Church. For those who

1ST EARL OF SHAFTESBURY.

refused to accept the Acts of Indulgence and for political rivals who sought to wrest the power out of his hands he had no mercy, and at times he desired nothing more eagerly than that they would openly rebel and give him the opportunity of quelling them by the sword. When the Duke of York began to assail Argyll and Dalrymple, Lauderdale eagerly took their side and endeavoured, but without avail, to persuade Charles that they were persons well disposed to serve him and that they deserved support and not suppression. On the sentence of death and forfeiture being passed upon Argyll both the Duke and Duchess of Lauderdale interceded vehemently in favour of Lord Lorne, who was the latter's son-in-law and endeavoured to secure for him as much as could be saved of the forfeited estate [1]. The misfortunes of Argyll were among the troubles which overclouded Lauderdale's last days, indicating as they did a deliberate purpose to reverse to a considerable extent his policy in Scotland. If he had had the gift of second-sight, and if the vanities of this world still seemed to him to have value as he stood upon the threshold of another, we could well believe that he would have been additionally tortured by the knowledge that his mortal enemy, the Duke of Hamilton, would succeed him as a Knight of the Garter.[2]

Shaftesbury had offered to serve Argyll to the best of his power but that power was now considerably enfeebled. For that energetic and versatile genius who had acted as an instrument of despotism before he became a champion of freedom—

"This day a Strafford and the next a Pym",[3]—had by this time nearly run his course. He had fought for the noblest of causes but he had used vile weapons, and the result was that for a time he alienated a large section of English society from the Whig party. The exploitation of the Popish Plot, the agitation for the Exclusion Bill,

[1] Macpherson, *State Papers*, vol. I, pp. 124, 131.
[2] Fountainhall, *Historical Observes*, p. 76.
[3] Lytton, *Poems*, "St. Stephen's".

the proposal to divorce the childless Queen, and the approval given to the scheme of substituting Monmouth for the Duke of York as heir-presumptive to the throne, are all alike discreditable to him and to the party which he led; and when these plans were backed by menaces which brought the country to the verge of civil war, we cannot be surprised that Charles regained a considerable measure of popularity, and that he recovered power which enabled him easily to defeat the last desperate schemes of his principal antagonist.

By his unexpected dissolution of the Oxford Parliament (March 28th, 1681), Charles had put an end to the Exclusion Bill, which had been passed three several times by the House of Commons. As he summoned no other Parliament for the rest of his reign, the Whigs were deprived of constitutional means of resisting misgovernment and of counteracting designs that might be formed against the rights and liberties of the nation. He pursued his advantage mercilessly and the Whig leaders found that their lives and property were now assailed. Shortly before Argyll arrived in London, Shaftesbury had been arrested and tried on a trumped up charge of treason, and had owed his escape to the fact that no regularly constituted jury in the city of London, where his influence was strong, would convict him. By a mixture of fraud and force the King secured the election of two Tory sheriffs, and as they had the choice of juries it was morally certain that Shaftesbury would not escape if tried on a similar charge a second time, and that, indeed, any man obnoxious to the Court could easily be struck down. The Whig leaders, instead of waiting to be butchered, began to consult seriously as to the advisability of arranging for a general rising against the King. Shaftesbury and a council of six, Monmouth, Essex, Russell, Sidney, Hampden, and Howard, planned an insurrection in different parts of the country; while their subordinates with the aid of two old Cromwellians, Rumbold and Rumsey, added to the scheme the proposal of an attack

upon the persons of Charles II and of the Duke of York.[1] It is quite possible that some of the conspirators, such as Monmouth, Russell, and Essex, may have been ignorant of the Assassination Plot ; but, though none of the official leaders were actively engaged in it, some of them were almost certainly accessory to it. Grounds might easily be found, therefore, for refusing to regard the plots as separate, and for convicting every one who was connected with either of them of a capital offence. Some may have disguised to themselves the scheme of insurrection as the demand of armed petitioners that the King should summon a Parliament, but they found that their mere association with others who had a distinctly criminal purpose in view, involved them in the same guilt.

Argyll did not actively co-operate in this movement though he was made acquainted with some, at any rate, of the measures proposed, and gave the conspirators the benefit of his advice. The latter certainly counted upon his raising a rebellion in Scotland as part of their plan. The matter was definitely broached at an interview in London between Argyll and Shaftesbury some time in the summer of 1682, and the sum of £30,000 Sterling was named by Argyll as likely to be needed for carrying on a campaign against the Government in that country. He lowered his demands in the course of discussion, and spoke of £15,000 Sterling or even of £10,000 as possibly sufficient for the purpose of setting Scotland in a blaze. But all these proposals came to nothing. The information we have upon this matter is derived from Lord Grey who took part in the Monmouth rebellion, and who, while a prisoner in the Tower, made a servile confession of all that he knew regarding the plans and intrigues of the defeated rebels. His dastardly character prejudices one against his history of the events in which he had taken a prominent part, but there is no reason to doubt his veracity in what he has to say of Argyll's

[1] Trevelyan, *England under the Stuarts*, p. 420.

connexion with them. With regard to this interview between Shaftesbury and him, he tells us that he derived his information from the former and from Monmouth, and that the reasons why the proposals came to nothing was that Shaftesbury was all through suspicious of Argyll.[1] Many among the arch-conspirator's associates were deeply tinged with republicanism, and for long there had been a dead set made by all of them against Lauderdale : so that Argyll's royalist politics and his intimate connexion with the Secretary of State for Scotland would naturally account for the uncertainty concerning him which Shaftesbury is alleged to have felt. We have also to bear in mind the fact that the possibility of Argyll's making terms with the Government was not inconceivable. Had he chosen to resign the hereditary jurisdictions of which they were anxious to strip him, a compromise might have been effected by which he would have been restored to his title and property. The contingency may have been very remote, but it was worth being taken into account : and the conspirators were not to be blamed if at first they were chary of admitting to full confidence one who might come to terms with the Government which they were seeking to overthrow.[2]

The only other prominent person concerned in the matter, with whom Argyll met while in London, was Viscount Granard, whom he had known as Sir Arthur Forbes in the rising in the Highlands under Glencairn and Middleton, and with whom he had been on terms of special intimacy and friendship. Forbes had at that time been taken prisoner and confined in Edinburgh Castle, and he owed his liberation to the exertions on his behalf made by Argyll, then Lord Lorne, at the time of the latter's capitulation.[3] After the Restoration he was employed and advanced and was now a peer and

[1] Grey, *Secret History of the Rye-House Plot*, p. 15 : *Account of the Discoveries made in Scotland*, (1685), p. 11.
[2] Foxcroft, *Supplement to Burnet*, p. 156.
[3] McCrie, *Memoirs of Veitch, etc.*, p. 144, n.

one of the two Lords Justices of Ireland. His share in the plot was to head a rising in that country in the Protestant interest. This nobleman, on coming to London and hearing that Argyll was in concealment there, was very anxious to see him, and applied to his son, Lord Lorne, to arrange for an interview between them. The latter informed Granard that he was utterly ignorant of the place where his father was lodging, but that he would speak about the matter to the person through whom he himself had occasional interviews with his father. This was of course, Mr. Veitch, who, on finding that Argyll was equally desirous for the interview, made arrangements for it. "Upon which" he tells us, "My Lord Lorne and Mr. Veitch under the name of Captain Forbes, resolved they [all] should meet and dine together at the Dolphin in Lombard Street, being the ordinary place where Argyll and his son used to meet. There they spent several hours together discoursing upon the times and what they thought proper for them to do to prevent the evils that threatened both Church and State".[1] The same authority tells us the following particulars with regard to what was decided upon by them at the second and final meeting held at the same place. "After long reasoning," he says, "upon the public affairs as they stood (which had a dismal prospect) they concluded to join with the Duke of Monmouth and the honest nobility, gentry and commons in the three kingdoms that should appear for the Protestant interest; viz., Argyll heading the same in Scotland, Monmouth in England and Granard in Ireland and that wherever Argyll appeared in the West of Scotland he [Granard] should send out of Ireland five thousand trained soldiers to assist Argyll. Upon which Mr. Forbes did see the two Earls pass their parole and change their walking-canes upon that head. But", he adds, "when the time came nothing of this was performed and what was the obstruct-

[1] McCrie, *Memoirs of Veitch, etc.*, p. 143.

ion Mr Forbes knows not." [1] One of the questions put to Argyll after his capture in 1685 was as to "why those in Ireland rose not?" [2] We do not know what his reply was, but there is no doubt that the real explanation was that Granard had either changed his political opinions or judged it to be unsafe to support Argyll. On June 5th, 1685, we find the Privy Council informing the Marquess of Atholl that the Earl of Granard, as he had then become, had a thousand men in Ireland ready to be sent over into Scotland, if required, to suppress rebellion. [3] As a matter of fact Granard at the Revolution adhered to James II and sat in his Privy Council and Parliament in 1689, "but becoming satisfied," we are told, "of the duplicity of that monarch and his intentions to establish Popery, he left him and went over to William in 1690." [4]

Some hint of the plot and of Argyll's share in it must have become known, for in September of 1682 the authorities were upon his track. He escaped capture and took refuge in Holland, whither a few weeks later he was followed by Shaftesbury. The plans of the conspirators were almost as numerous and as diverse in character as the conspirators themselves. Monmouth dreamed of receiving a royal crown; Russell wished to safeguard the interest of William of Orange; Sidney and Essex aimed at establishing a Republic of the antique Roman type, in which aristocratic houses like their own, played a prominent part; Rumbold and other old Cromwellians hoped to see again a democratic Commonwealth like that which the last English revolution had ushered in; while all of them were suspicious of Shaftesbury whose real plans and purposes none of them knew. [5] The latter disappeared immediately before the new Lord Mayor and Sheriffs entered on office, and after conceal-

[1] *Veitch MS.*
[2] Wodrow, *History*, vol. IV, p. 299.
[3] *Vindication of the Marquess of Athole* (1690), p. 5.
[4] McCrie, *Memoirs of Veitch etc.*, p. 145, n.
[5] Trevelyan, *England under the Stuarts*, p. 421.

ment for some weeks in obscure houses in the City and in Wapping, fled to Holland, on finding that his associates had agreed to postpone the insurrection (Nov. 28th). Two months later (Jan. 21st, 1683), his fiery soul was quenched in death. His body was brought from Amsterdam, where he died, to England and buried at Wimborne St. Giles in Dorsetshire. [1]

[1] Christie, *Life of Shaftesbury*, vol. II, p. 461.

CHAPTER XVI.

Sir James Dalrymple retires to Holland—Argyll's petition to Charles II—The Carolina Project—Conspiracy against the English Government—Rye-House Plot—Major Holmes apprehended—William Spence and the letters in cipher—Impoverishment of the Earl and Countess of Argyll—The condition of matters in Scotland—Claverhouse's activity.

Sir James Dalrymple, as we have seen, was dismissed from his office of President of the Court of Session. He went up to London to seek an audience with Charles II, but a messenger from the Duke of York had preceded him and he was not admitted to an interview with the King. He thereupon retired to Cars-Creoch, his country-seat in Galloway, and employed his leisure in preparing his *Institutions of the Law of Scotland* for publication. This monumental work, the fruit of forty years' experience of the Court of Session, twenty as an advocate, ten as a judge and ten as its President, is one of the greatest treatises on jurisprudence which has ever appeared. The fact that the author of it was ultimately driven out of the country is of itself a striking condemnation of the Government of the time. He and his son came into collision with Claverhouse in their endeavours to maintain their own rights, and to mitigate the severity of the penal laws, and he was informed by Sir George Mackenzie, the Lord Advocate, that he would be prosecuted if he remained in Scotland. Accordingly, about the time that Argyll made his escape from London, Dalrymple also retired to Holland and took up his residence in

Leyden, where he applied himself to the publication of another important legal work, the first volume of his *Decisions of the Court of Session*. During his exile he seems to have had no intercourse with Argyll, though no doubt he wished well to the enterprise on which the latter so rashly embarked. He himself returned to Britain in company with the Prince of Orange in 1688.[1] His long association with Argyll before they were both driven from Scotland, and their combined efforts to modify the evils which they could not avert, led to their being regarded with animosity by Charles II. He said on one occasion that there was never a rebellion in Scotland without a Campbell or a Dalrymple at the bottom of it.[2] A stronger testimony in favour of patriotic zeal could scarcely be given than blame from such a tainted quarter.

Not long after the death of Shaftesbury, Argyll sent a petition to Charles II asking for a complete reversal of the sentence of forfeiture which had been pronounced against him. In it he stated that more than a year had elapsed since the sentence in question had been passed upon him, and that this was his first direct address to the King. His enemies, he said, had been encouraged by his "quiet submission" to greater activity against himself and his family; but, as he had heard that His Majesty had more than once spoken of him in kindly terms, he wished a personal interview with him. He affirmed that he had committed no offence against the King, the law, or the Church, but that he had withheld some grounds for defence of himself which were more suitable to be imparted to the royal ear than to be made generally known. He, therefore, asked that time and place for an interview might be fixed by the King and a safe-conduct sent to him to enable him to come to London.[3] There is no evidence that the appeal met with any reply. The document seems to belong to some time not long before

[1] Mackay, *Life of 1st. Viscount Stair*, pp. 150, 213.
[2] Kirkton, *History*, p. 328, n.
[3] *Hist. MSS. Com. Report* VI, p. 633.

the month of June of 1683, when the Rye-House Plot was disclosed to the Government. Certainly after the latter event it would have been impossible for Argyll to write to the King in any such terms. The appeal does not seem to us to be ingenuous. It seems rather to be an attempt to divert attention from the actions in which he was engaged, or to delay some procedure against himself or his family, which his enemies were pressing on. We are at no pains to defend him, if it be the case that in this appeal to Charles II he was disingenuous. The fact that he had to some extent taken up the rôle of a conspirator implied a resort on his part, at any rate occasionally, to methods of concealment and deception. In any case the present work is rather a history of him and of his times than an apology for him.

A number of prominent men in Scotland of the Presbyterian party, despairing of the condition of matters in their native country, thought of emigrating to America, and planned the purchase of land in which to settle in the province of Carolina. Those who were willing to expatriate themselves were naturally among the most zealous opponents of the present Government, and accordingly the English conspirators under the pretence of the American scheme put themselves into communication with the projectors with a view to engaging them in their desperate undertaking. This incident has led to some doubt being expressed as to whether the American proposal were ever anything else than a mere blind for plotting, but there is ample reason to believe that it was a *bonâ fide* design.[1] The intermediary between these Scotch gentlemen and the conspirators in London was Mr. Carstares, the well known ecclesiastic and politician, who after the Revolution was appointed Principal of Edinburgh University. On his arrival in London,

[1] McCrie, *Memoirs of Veitch, etc.*, p. 146n : *Memoirs of Mrs. Veitch*, p. 8 : Fountainhall, *Historical Observes*, p. 100 : Wodrow, *History*, vol. III, p. 368 : Erskine, *Journal*, p. 62 : Ferguson, *Ferguson the Plotter*, p. 68: Fountainhall, *Historical Notices*, vol. II, p. 587.

shortly after Argyll had fled to the Continent, he received a letter written with the approval of the refugees in Holland, informing him that if he could persuade the English conspirators to provide a certain sum of money for the purchase of arms and ammunition, the exiles on the Continent would undertake to cooperate with them by arranging for an invasion of Scotland from the west coast. Carstares told Russell and Sidney of the definite form which the scheme had now taken, and urged acceptance of it, on the ground that Argyll's extensive jurisdictions in the West of Scotland and his position as the head of a great clan, made him the most suitable person for conducting such an enterprise; while his recent sufferings at the hands of the Government were bound to secure support for him among those who resented tyranny. Carstares found, however, that Sidney was opposed to having anything to do with Argyll, for the reason that, though his present situation might induce him to cooperate with them, he was certain to dissent from the more drastic policy which commended itself to some of them. This was perfectly true. Argyll had all his life been a royalist in politics, while the leaven of republicanism was, as we have said, strong in other members of the band of conspirators. Sidney was, indeed, but one of the conspirators, yet his influence was sufficiently powerful to render the solicitations of Carstares fruitless for a time. [1]

The flight of Shaftesbury to Holland disconcerted the schemes of the plotters and altered the whole position of affairs. Shaftesbury's extraordinary influence in London, which had secured strong support for them there, was now lacking to them and they judged it advisable to enter into a close league with Argyll and with the refugees in Holland. Sidney no longer urged any objection against the Earl. Carstares was invited over to London and some of his friends were brought down from Scotland in order to arrange all the details in

[1] Carstares, *State Papers*, p. 9 : Story, *William Carstares*, p. 369.

connexion with the proposed rebellion and invasion. The refugees in Holland consulted together as to what they should demand in the way of support, both in money and in men before beginning an invasion. Argyll insisted that the sum of £30,000 Sterling should at once be advanced to him, and that a body of a thousand horse should be raised in the North of England to cross the border and join him the moment he set foot in Scotland. This was agreed to, though some were rather dubious as to the likelihood of so large a sum of money being forthcoming. The fact that Lord Grey, one of the conspirators had extensive estates in Northumberland explains the part of the scheme which concerned the raising of cavalry to support Argyll. A plan of correspondence by means of an ingenious cipher was arranged, and Carstares came to London with a statement of the conditions laid down by the Scotch exiles. He was assured by Lord Russell that it was impossible to raise such a sum of money as that mentioned, and he was asked to persuade Argyll to accept £10,000 Sterling, at any rate as a beginning. The very dubious argument was urged that those who contributed the sum would in all likelihood be willing to increase their gifts after the enterprise had been set on foot, from fear of losing what they had advanced. It was more probable that they would decline to throw good money after bad. As a matter of fact the money specified was never contributed, and no steps were taken to raise the body of horse which both parties agreed to be necessary for the success of the scheme. [1]

Carstares was so mortified and dispirited by this state of matters that he urged upon the Scotch conspirators who were in London the necessity for suspending all preparations for an insurrection in Scotland, while there seemed no likelihood of receiving resolute support from their English associates. He declared that there was no cohesion among the various elements of the party with

[1] Carstares, *State papers*, p. 13.

which they had expected to cooperate, that their plans were crude and undigested, and that in their chimerical projects and idle debates they lost sight of the only practicable course, viz., to resort at once to arms and to demand a free Parliament. He was strongly supported by Baillie of Jerviswood, one of the noblest figures in the history of that time. The latter exclaimed "that they had been too long the dupes of a set of men who could do nothing but talk: that this, however, was no reason why the Scots should desist: that, although there was but a small spark of the spirit of liberty remaining in their country, it was possible still to blow it into a flame. If it was more difficult, it was likewise more honourable, to act independently of the English; and, if they were successful, it would not be the first time that England owed its liberty to the interposition of the Scots."[1] They unanimously resolved to intimate to the English conspirators their intention to withdraw from cooperation with them, unless the latter undertook to act more vigorously; and they sent word to their friends in Scotland that the insurrection proposed was put off for the present. No reply was received to their communication, for the bubble of conspiracy suddenly collapsed. The course which events took is well known. The plot for a general insurrection languished, but that for the assassination of Charles II and his brother took definite shape, and time and place were fixed for the attack upon them. The conspirators planned to waylay the royal party at the Rye-House, belonging to Rumbold, in April as the King returned from the races at Newmarket. By an accident the date of his journey was changed and the attempt was foiled. In June both the plots were disclosed to the Government and some of those who had been half-hearted conspirators proved very zealous informers upon their associates. Russell and Sidney were convicted on Howard's evidence, and suffered death; Essex committed suicide; Monmouth and

[1] Carstares, *State Papers*, p. 14.

Hampden were spared ; while Rumbold made his escape and afterwards assisted Argyll in his enterprise in Scotland.

At a very early stage in the investigations the Government got wind of the connexion of Argyll with the plot. On Tuesday, June 26th, Major Holmes was apprehended and was examined before the King and Privy Council. A great many letters in cipher along with keys for interpreting such were found in his possession, and naturally increased the suspicion of his having been engaged in treasonable practices. In the course of his examination he confessed to having had correspondence with Argyll, and mentioned the name of an accomplice who had only arrived from the Continent the day before, a Mr. Butler, lodging at the *Pewter Pot*[1] in Leadenhall Street. Early next morning the place was searched and the person in question was seized in his bed. He gave his name as William Spence and professed to be a student of divinity who had no connection with political plots, but had come to London on private affairs of his own. On the Thursday and Friday after he was taken he was cross-examined by the King and members of the Privy Council. He asserted that he was a native of Sandreford in Fife, and for some months past had been a student at the University of Utrecht, and that he had come to London to buy some books both for his own use and to sell at a profit in order to make a living. He admitted having seen some of the Scotch exiles in Holland—among others James Stewart, and Dalrymple. He was asked if he knew the Earl of Argyll and he replied that he would know him if he saw him. The question was then put to him as to whether he had seen the Earl in Holland; but he refused to answer. "I know not" he said, "what answering to such questions concerning any in the Earl's

[1] This was an obscure inn that stood on the southern side of Leadenhall Street and was entered by a small alley way, about halfway between Lime Street and Billiter Lane (Stow, *Survey of London*, 1720 edition).

Archibald, 9th Earl of Argyll.

circumstances may infer, and being no lawyer I hope his Majesty will pardon I cannot now answer them, having the advantage of no counsel." Charles was much irritated by his obstinacy and threatened to send him down to Scotland to be examined by torture, but he elicited nothing more than protestations of innocence of treasonable or any other offences. Next day he admitted that he had been a servant to the Earl of Argyll, but declared that all the time he had been connected with him he had never seen anything in his conduct but what was honourable, loyal and virtuous. He denied, however, that he had been sent over on special business to Major Holmes. He was shown a letter and asked if it were in the Earl's handwriting. He admitted that it seemed to be so, though he could not be certain about it. He declared that he knew nothing of the matters treated of in the letter. In spite of repeated cross-examination by the King, the Duke of York, Halifax and others, nothing more could be drawn from him, and orders were given that he should be imprisoned and heavily ironed and hindered from communication with any friends, or with other prisoners.[1]

In the end of 1683 the letters in cipher were sent down to the Scotch Privy Council with instructions to seek to elicit information from the Countess of Argyll with regard to the key or keys to them. She and her stepson, Lord Lorne, were accordingly summoned before the Council and questioned concerning this matter. They both admitted that the letters were in the Earl's handwriting.[2] The Countess stated that since her husband's difficulties with the McLeans with regard to the island of Mull, when his letters had been intercepted by his enemies, he had adopted the use of cipher in writing to her and to friends even concerning his private affairs.

[1] *Hist. Mss. Com. Report*, VI. p. 633 : *S. P. Dom.*, Charles II, vol. 433 : Sprat, *A True Account of the Horrid Conspiracy*, p. 71 : *Account of the Discoveries made in Scotland*, *p.* 13 (1685).

[2] *Hist. MSS. Com. Report*, VII. 377 b.

"But," she added, "upon the breaking out of the English plot, she, judging such a way of corresponding dangerous and liable to suspicion burnt [the key] four months ago; and she cannot read nor expound them; but that all the letters she got contained nothing of the plot, but anent his own private affairs and his friends, and it were a cruel law if a wife were obliged to detect and reveal these."[1] The Privy Council were dissatisfied with her replies, as they considered they were disingenuous, but they did nothing further at the time. The Earl made use of more ciphers than one, and that used in the letter which the Government was most desirous to have deciphered was of special and remarkable difficulty. In one of the letters, which some experts partially succeeded in deciphering, a particular hieroglyph was supposed by them to indicate the Earl of Balcarres. The Countess was again summoned and, on finding her son thus endangered, revealed the fact that the symbol in question stood for a relative pronoun referring to the person named immediately before it. This happened to be Lord Maitland, Argyll's son-in-law, against whom action was instantly taken to discover if he had been holding any communication with the outlawed Earl. His papers were seized and examined but nothing incriminating him was found in them and proceedings in the matter were abandoned.[2] It was ultimately discovered that the cipher in which Argyll and his wife had corresponded was quite different from that in which the important letter referring to the Plot was written, and that the key to the latter was known only to three persons of whom she was not one, and she was not further troubled in connection with the matter.[3]

The intimation to Spence that he might be sent down to Scotland to be tried was by no means an empty

[1] Fountainhall, *Historical Notices*, vol. II, pp. 471, 477: Lindsay, *Life of Lady Anna Mackenzie*, p. 124.
[2] Erskine *Journal*, p. 32: Anderson, *Ladies of the Covenant*, p. 489.
[3] Lindsay, *Life of Lady Anna Mackenzie*, p. 125.

threat. He was forwarded to Edinburgh and subjected to examination by torture to compel him to supply various items of information, which the authorities were anxious to obtain, and to reveal the cipher in which the Earl's letter was written. He was, indeed, able to do the latter, but it is almost certain that he was unacquainted with the particulars referred to in the document, and that he knew nothing of the plot beyond some general facts which were now public property. It is specially recorded as an element in the ingenuity of the cipher that the person who had the key of it could not cast light upon the subject matter contained in it.[1] When, therefore, the authorities put their list of questions with regard to details of the plot in the forefront of Spence's examination they were demanding from him information which he was incapable of giving.

The treatment of Spence is one of the most disgraceful incidents in the history of the infamous administration of Charles II. The general principle with regard to torture was that it was the last resort in extraordinary cases, and that a person from whom it could not extort incriminating matter was to be regarded as thereby purged from suspicion of crime. Spence was tortured by "the boots" but answered none of the questions proposed to him. Here the matter should have ended. But the authorities with diabolical cruelty condemned him to be tortured by a new method. General Dalziel, who is surely the most cold-blooded and revolting personage of that evil time, was instructed to take charge of this business and to employ the services of some of his men. The plan they were to adopt was to allow the accused no sleep night or day until he gave the information desired.[2] Spence however, "with a courage", as one of his admirers says, "worthy of the Ancient Romans",[3] bore this test successfully for five days and nights and wearied out his

[1] Carstares, *State Papers*, p. 105.
[2] Wodrow, *History*, vol. IV, p. 95.
[3] Welwood, *Memoirs*, p. 174 : Erskine, *Journal*, p. 78.

tormentors without saying a word of which they could make use. A third order was issued by the Council for him to be tortured, but this seems to have been a pedantic method of giving him an opportunity to petition for his discharge on making some statements regarding what he knew of the plot. His friends assured him that he could reveal nothing that the Government did not already know from other sources, and that his deciphering the letter would not prejudice the Earl of Argyll or any of his friends. He accordingly made a declaration on oath which might have been made by almost any one in the three kingdoms. It was to the effect that an insurrection had been planned within the past two years, that the intention of it was to hinder the Duke of York from succeeding to the Crown on the ground of danger to the Protestant religion and to the liberties of the Kingdom, and that on the King's death troubles would likely arise. [1] The letter which he deciphered had been written from Holland on the day before the Plot had been disclosed to the King (June 12th, 1683), and contained information as to the way in which the insurrection was to be effected in both Kingdoms. In it Argyll expostulated against the smallness of the sum which his associates in England proposed to send him for preparing for a rising in Scotland. He said he did not know the grounds on which so little had been offered, and that until these had been made clear to him he would take no action in the matter. He considered that his calculations, both with regard to the money and to the military assistance needed, had been made on the most moderate scale, and that it was quite within the power of his correspondents to carry out his requests. Even if they thought that less money and fewer horse-soldiers would do, it would be absurd to run the risk of failure in order to save the difference. They had to remember that it would be too late to try to provide

[1] Wodrow, *History*, vol. IV, p. 96: *Account of the Discoveries made in Scotland*, p. 33.

arms and munitions of war when the rebellion had actually begun. He reckoned the regular army in Scotland as being about 2,000 foot and 1200 horse, "all well appointed and tolerably well commanded". In addition to these were the militia of twenty thousand foot and two thousand horse, and the heritors or landholders who could be called upon to take up arms for the defence of the country and would bring the number up to some fifty thousand men.[1] But of these two latter sections of the forces he reckoned that one half would be in sympathy with the insurrection. Even if the insurgents did not carry all before them at once, the Earl considered that there would be a compact body of them who would be able to maintain their ground, and to whom the disaffected in the three Kingdoms might rally. "Then," he said, "it will not be time to call for more Arms, far less for more Mony to buy them; and they should then prove like the Foolish Virgins". He pointed out that the money and men whom he demanded would almost certainly keep in check the whole power of Scotland, and that this would be such a gain for the Protestant cause and for the interest of their party, that it would be difficult to see what better investment could be made of the proportion of their funds for which he asked. He had reckoned the money as low as if he had had to pay it out of his own purse, and he would claim no exclusive management of it. He was quite willing to submit his calculations to expert advisers and to abide by their decision. He concluded by saying that he was very anxious to have a conference with his associates in England and was willing either to come over in disguise to London, or to meet with any delegate whom they might send to Holland. He also said that there were many things he could suggest as necessary to be done, but which he dared not write down for fear of their coming to the know-

[1] As will afterwards be seen Argyll underestimated the forces in Scotland at the disposal of the Government by ten thousand men.

ledge of the enemy and putting them upon their guard.[1]

Those who are curious in such matters may find a full description of the cipher used by the Earl on this occasion in Carstares' *State Papers*,[2] but the following account of it may suffice an ordinary reader. The whole letter was evidently written by him in ordinary characters in horizontal lines, each word in a space by itself as in a modern telegraph-form, so that when it was completed there happened to be one hundred and twenty eight horizontal lines and eight columns of words. Then each column was copied out in vertical order so that the second word in the original sentence with which the letter began was in the one hundredth and twenty-ninth place from that which had preceded it. The result of this displacement was an amazing and apparently hopeless state of chaos. In addition to this, certain important words and phrases were still further concealed by being written in a numerical cipher in which letters of the alphabet were represented by numbers like 33, 69, etc., and proper names such as England and Scotland were represented by such unmeaning words as Birch and Brand respectively. The preface to the document was in ordinary English and professed to be the introduction to a mercantile letter. It said that Mr. B. would explain matters ; and it concluded by saying that Mr. B. would pay the total sum of one hundred and twenty eight guilders and eight stivers. This was a hidden reference to the number of lines and columns above mentioned. The hint was slight enough but yet it gave a certain clue to the method of concealment which had been adopted. The Government employed experts in cipher to deal with the letter and the result of their labours was confirmed and supplemented by the account which Spence gave of its contents.[3] On receiving his declarations the

[1] Sprat, *A True Account, etc.*, p. 85 : Carstares, *State Papers*, p. 119.

[2] P. 107.

[3] Law, *Memorialls*, p. 251 : Fountainhall, *Historical Observes*, p. 188 : Sprat, *A True Account, etc.*, p. 84. Another and simpler cipher used by Argyll in a letter to his wife is given in Carstares' *State Papers*, p. 107. In this the

Privy Council under the royal seal assured him that neither his testimony nor the matter he had deciphered would be used against him or any other person. This promise was disgracefully violated immediately upon its being made, as the deciphered letter was used to procure the condemnation of Carstares. The latter was referred to in it under the pseudonym of Mr. Red, a fact of which Spence was perfectly ignorant, but which other information in the hands of the authorities placed beyond doubt.[1] For a short time Spence suffered imprisonment of no very rigorous kind in Dumbarton Castle. It is more probable that he was set at liberty than that he made his escape from that fortress, as further detention of him could scarcely be sanctioned by colour of law.[2] He rejoined Argyll in Holland and we shall hear of his later adventures in the unfortunate invasion of Scotland in the following year.

The fate of Major Holmes, who was for a time so closely associated with Argyll, was a very extraordinary one. He had, as we have seen, been connected with the Rye-House Plot and he afterwards took some part in Monmouth's rising. On being made prisoner he was brought before James II, who was, we are told, " struck with his age, his manly look, and more manly manner, and told him he might make himself easy as no harm should befall him. " For a little time after this he was often seen in the antechamber at Court. Suddenly however, he disappeared and enquiries were made about him. It was then discovered that Judge Jeffries had caused him to be seized secretly in London and conveyed to the place in the West where he was on circuit. Here he was condemned to death and executed and his body

letters of the alphabet are indicated by 40 for a, 41, for b, and so on, consecutively up to 64 for ampersand. In order to complicate matters many mute ciphers are interspersed among the others. as e. g. 34, 67, 28, 69, etc. These have no meaning and are only added to perplex those who have not the key. The person who has the key recognises them as mutes by their being either below 40 or above 64.

[1] Wodrow, *History*, vol. IV, pp. 96, 98.

[2] Fountainhall, *Historical Notices*, vol. II, p. 553.

was hung in chains.[1] No remark seems to have been made regarding this murderous activity of the Chief Justice beyond that of the writer who relates the incident. His comment upon it is that "Jeffries often followed his own opinion alone in matters within his department."[2] James II apparently found no fault with the ardent zeal of his servant. Indeed it would have been difficult to offend him by procedure prompted by that motive, however wicked and shameful might be the conduct to which it led.

The Countess of Argyll resided for the most part in Stirling during her husband's exile. His forfeiture had cut off the means of subsistence for herself and her family and for a time they were in great distress. One of the daughters, Jean, was provided for by her marriage with her cousin, Lord Lothian, who by coming forward at this juncture to ally himself with the House of Campbell not only manifested generosity of character but also expressed sympathy with those who were being treated with flagrant injustice.[3] The Countess had a small income of four thousand merks a year [£222-4-5 Sterling] from the estate of Wester Pitcorthie near Balcarres, which had been settled upon her by her first husband. A short time after Argyll's escape from the Castle of Edinburgh, the sum of seven thousand merks a year [£388-17-9 Sterling] was assigned to her out of his forfeited property (Mar. 4th., 1682). He was now regarded as dead in law and this sum was the jointure which had previously been agreed upon as provision for her in case of his actual death. His estates were administered by commissioners who were ordered to give her precedence over all other creditors. The reason why this special favour was shown to her was the King's recollection of the faithful services to his cause rendered in the time of Cromwell by the

[1] One of the pack of cards published to satirize Monmouth's rebellion represents "Major Holmes and 2 other Rebells, hanged in chains."
[2] Dalrymple, *Memoirs*, vol. I, p. 142.
[3] Lindsay, *Life of Lady Anna Mackenzie*, p. 122.

Earl of Balcarres, her first husband, and of the many hardships which she herself then underwent. Yet the estates on which this annual payment was imposed were so seriously impoverished that she received but a part of her due income, and she was forced within a year after her husband's forfeiture to sell part of her household furniture and personal property to supply her wants.[1] Argyll's children were provided for out of his forfeited property. The matter was considered by the King and Privy Council, and it was decided that Lord Lorne should not have possession of Inveraray but that £1250 Sterling a year free of all encumbrance should be settled upon him. John received £200 Sterling a year, his brothers £150 Sterling and his sisters £100 Sterling each. Lord Lorne himself appeared before the Council and pled his own cause and that of the other members of the family. He pressed hard to have the Superiorities possessed by his ancestors granted to him, but it was pointed out that these involved the right of military service from vassals, and the request was firmly refused. All that the King would consent to was the removal from the family of the taint in blood which the sentence of forfeiture for treason brought with it.[2]

The Earl himself was in an even worse plight than his wife in the matter of poverty. The instant and complete failure of income consequent upon his forfeiture involved very serious hardships for him. Some of his friends, as we have seen, came to his rescue and provided means for his journey to London, conspicuous among them being Mr. Veitch who took such a prominent part in that episode. Argyll promised to repay the kindness of this latter benefactor by the gift of an estate in Kintyre, when he was restored to his rights and able to effect the arrangement. But this time, unhappily for Veitch, never came.[3] In the end of 1682, £50 Sterling

[1] Lindsay, *Life of Lady Anna Mackenzie*, p. 123.
[2] *Letters to the Earl of Aberdeen* (Spalding Club), p. 6 : *Life of James II*, vol. I, p. 712 : Fountainhall *Historical Notices*, vol I, p. 350.
[3] McCrie, *Memoirs of Veitch, etc.*, p. 192.

was collected among the Earl's tenants in Kintyre and Islay, and sent to him; but no regular income was provided for him in this way.[1] It is reasonable to suppose that the wealthy friends, with whom he found an asylum in London and who contributed a large part of the war-expenses in 1684-5, came to his relief. But from another quarter still he received maintenance while in exile. As he was the leader of a party and was expected to take active measures for redressing the evils under which the country groaned, it was thought right that funds should be raised in Scotland and forwarded to him for his support. Sir John Cochran, who afterwards aided him in his expedition, and Alexander Gordon of Earlston, seem to have had charge of this matter.[2] Thus we find it recorded of Sir John Shaw of Greenock, of whose activity on the side of the Government we shall afterwards hear, that he obtained a royal pardon for having at an earlier period trafficked with the disaffected party, and especially for having concealed the fact that Cochran had demanded £50 Sterling from him as a contribution to be sent to the Earl of Argyll.[3]

For more than two years and a half the Earl lived in Holland. His principal place of residence was on a small property which he and his father had acquired in Friesland. The story ran that one of their household or tenants had many years before prophesied that a day would come when they would be driven from Inveraray, and that this had suggested their providing a place of refuge.[4] Local tradition, speaking, however, in very uncertain tones, fixes the exact locality as the village of Oudwoude near Leeuwarden. But the Earl paid frequent visits to Amsterdam and Rotterdam, and for some time lived with his friends, the Smiths, in Utrecht, whither they had removed from London. He occupied himself,

[1] *Atholl Chronicles*, vol. I, p. 192. (Privately printed): Brodie, *Diary*, p. 490.
[2] Fountainhall, *Historical Notices*, vol. II, pp. 574, 577: *Ibid*, *Historical Observes*, p. 142: Sprat, *A True Account*, p. 74.
[3] *Laing Charters*, Edinburgh University Library, 2855.
[4] Sprat, *A True Account*, p. 123.

as he afterwards tells us, with devotional exercises and meditations to a greater extent than had been usual with him in previous years; but unfortunately he resumed the political and seditious intrigues which had for a time been interrupted by the failure of the Rye-House Plot. Leeuwarden was the place of residence of a knot of Presbyterian exiles of the most rigid type, who kept up a correspondence with the irreconcilables in Scotland.[1] We may be perfectly certain that they held no intercourse with the Earl of Argyll and his associates, for they regarded them with a hostility but little inferior to that which they cherished for the House of Stewart.

With the engagement at Airds Moss the last flame of open rebellion in Scotland flickered out. Some districts of the country were in a state of sullen disaffection, and a few isolated bands of desperate insurgents still evaded all attempts to capture them, but the risk of a general rising was over. The Bothwell Bridge rebellion had shown that the mass of the population held aloof from such undertakings, and that the ranks of the enemies of the Government were torn by dissensions which weakened their power of attack. This being the case, one might have expected some relaxation of the rigour with which the country had been governed. But two circumstances hindered any such change of policy. An abandonment of the policy of repression would have been a palliation of the guilt of past rebellion and an encouragement to new efforts at resistance, while at the same time it would have closed a source of revenue which had rewarded, even if it had not inspired, the zeal of servants of the Government. "Forfeitures and fines," says J. H. Burton, "became so lucrative to those who laid hands on them, that the discovery of recusants was more desirable than the obtaining of Conformists. The bonding and testing system hounded out upon their neighbours an army of rapacious informers and lawyers. The man who was worth harassing had set down at his door some keen and

[1] See letters at the end of Shield's *Faithful Contendings*.

greedy man of office or of law, whose interest it was to keep him and his affairs in continual remembrance until the exaction of the last available coin." [1] In theory no doubt the forfeited property belonged to the Crown, but gifts of it were often made and in other instances a considerable percentage of the revenue from this source went to those who collected it. Both fear and greed were therefore enlisted in support of the harsh rule which had prevailed in Scotland for so many years past.

The Cameronians had already openly spoken of themselves as engaged in war with the Government, but a fresh Declaration of the fact in October, 1684, together with the murder of two of the life-guards, led to fresh severities being instituted against the disaffected and those who sympathized with them. The Privy Council applied to the Lords of Session for a judgment upon the matter, and they decided that those were guilty of treason who refused to answer on oath whether they owned this Declaration or not, so far as it declared war against the King and asserted the lawfulness of killing those employed by him. Thereupon the Privy Council passed an Act to the effect that all who refused to abjure the Declaration should be put to death, whether in arms or not, on being summoned to do so in the presence of two witnesses by a person commissioned by the Council. [2] This was simply military execution without trial, and but little care was taken to prevent the exercise of the extensive powers granted under this Act from falling into unworthy hands, for subordinate officers of the army and even common soldiers received commissions to administer the Oath of Abjuration. [3] Some may think that any who refused to disown so disloyal a Declaration deserved their fate. Many, however, who had taken no part in rebellious proceedings, hesitated to condemn them, especially in view of the fact that their action would be interpreted

[1] *History of Scotland*, vol. VII, p. 192.
[2] Wodrow, *History*, vol. IV, p. 155.
[3] *Ibid*, p. 155.

as disowning the persecuted and as approving of the cruelty which had driven them to resistance.[1] It was under this Act that some of the most notorious executions in this reign took place—such as that of John Brown of Priesthill and those of the women drowned at Wigton—executions against the legality of which we have not a word to say. They were "iniquitously legal".

A scene in Nithsdale and Annandale after the accession of James II and at a time when Argyll's invasion was anticipated will give our readers a vivid idea of the manner in which the Abjuration Oath was exacted by the military authorities. The officer in charge of the proceedings happens to have been Claverhouse. "Wherever Claverhouse came," says Wodrow, "he resolved upon narrow and universal work. He used to set his horse upon the hills and eminences, and that in different parties, that none might escape ; and there his foot went through the lower, marshy, and mossy places, where the horse could not do so well. The shire he parcelled out in so many divisions, and six or eight miles square would be taken in at once. In every division the whole inhabitants, men and women, young and old, without distinction, were all driven into one convenient place. When thus got together, he called out as many of them as he saw proper, at once, till he got through them, and interrogate[d] them severally, if they owned the Duke of York, as he was formerly called, to be king. When they had done so, he took an oath of all the men that [they] should stand by him, and still own him as king, and never do anything against him. Not satisfied with this, he interrogate[d] them next, if they had taken the abjuration ; and some whom he suspected, he posed upon their oath, whether they had ever repented their taking the oath now imposed. If they answered they did not, then he made them promise, upon their renouncing their part in heaven, they should never rue their so doing ; and when they had complied with all his impositions, he would

[1] Wodrow, *History*, vol. IV, p. 162.

let them go, saying, 'Argyle shall have a perjured dog of you.' All this was done to great numbers of poor country people, surrounded all the while with the soldiers, with their guns charged, and under bloody threatenings, they should presently die if they complied not in every point".[1] We have already quoted the statement of Claverhouse's latest biographer that "he had the instincts and training of a gentleman." Whether this certificate of character is consistent with the actions here recorded we leave our readers to judge. That his brutality was a matter of deliberate policy with him is evident from his own words. At a time when he had been inactive for a little he wrote to the Earl of Menteith who had been busy in the work of repression: "You have now [so] taken my trade off my hand, that you are become the terror of the godly. I begin to think it time for me to set to work again, for I am emulous of your reputation".[2] He has gained the reputation he desired and it will cost his admirers hard rubbing to get off the label—"the bloody Claverhouse"—which briefly sums up public opinion regarding the character of his career.[3]

[1] Wodrow, *History*, vol. IV, p. 255.
[2] *The Despot's Champion*, p. 94. This extract from Claverhouse's letter is not to be found in Mr. Terry's *Claverhouse*.
[3] *Ibid*, p. 222 : Burton, *History of Scotland*, vol. VII, p. 249.

CHAPTER XVII.

Argyll prepares for invading Scotland—Inveraray occupied by his enemies—Death of Charles II—Monmouth urged to co-operate with Argyll—Negotiations with Scotch and English exiles—Omens and portents—Council of War formed to support and control Argyll—Mr. Veitch sent to the north of England—Prominent members of the invading forces.

Early in the year 1684 Argyll thought it practicable to make a descent on Scotland, if the money needful for meeting the expenses of the expedition could be raised. Though he and his associates in Holland thought that £15000 Sterling would serve the purpose, it was found to be difficult to provide this comparatively moderate sum. Some of the English exiles promised £5000 Sterling on condition that the balance was subscribed in England, and an emissary named Eleves was sent across to endeavour to secure this being done. As neither his manners nor his morals were such as to inspire confidence, it is not surprising to hear that he returned a few months afterwards to report that no money was to be expected from England. In spite of this discouragement Argyll persisted in his preparations, and determined to make the experiment in the following spring, even if it should be on a lesser scale than that originally planned. He ordered from a magazine in Amsterdam four hundred stand of defensive armour, "backs, breasts, and head-pieces," and various other equipments for horse and foot soldiers.[1] In order to conceal his action he made these

[1] Erskine, *Journal*, p. 179.

purchases in the name of one who was agent for the Venetian Republic, and who was supposed to be acting in this matter on its behalf. [1]

While the Earl thus proceeded to make such definite preparations for an invasion, the Government judged it prudent to take precautions against it by appointing the Marquess of Atholl Lord-Lieutenant and Sheriff of Argyllshire, and by giving him orders to march at once thither with a strong force. His expenses were provided for by his receiving "the gift and tack of the houses, parks, and mill of Inveraray"—part of the Earl's forfeited property which had been reserved to the Crown and was now given for this special purpose. Without delay the Marquess proceeded to Argyllshire with a force of about a thousand Highlanders. He apprehended several who were suspected of treasonable correspondence with Argyll, and seized the latter's charter-chest and papers, which he forwarded to the Privy council in Edinburgh. The papers were voluminous and were stored in barrels which some of the Earl's friends had in vain attempted to conceal. [2] Six of the indulged ministers who had been settled through the Earl's influence in Argyllshire came under suspicion and were inhibited from the exercise of their sacred functions. They acknowledged having violated some of the conditions under which the Indulgence had been granted them, and they were committed to prison until sufficient security for good behaviour had been provided by them. [3] Lord Neil Campbell, the Earl's brother, was required, as a condition of his being allowed to remain at liberty, to pledge himself to remain faithful to the Government and to induce others in Argyllshire to do the same. [4] This prompt action on the part of the authorities ultimately ruined the plans of the conspirators ; for the presence of

[1] *Biog. Brit.* vol. III, p. 198 : Foxcroft, *Supplement to Burnet*, p. 156.
[2] Fountainhall, *Historical Notices*, vol. II, p. 559 : *Atholl Chronicles*, vol. I, p. 194.
[3] *Ibid*, p. 192.
[4] *Ibid*, p. 196.

a hostile garrison in the very heart of Argyllshire deprived the Earl, as we shall see, of the services of many of his vassals and tenants, whose property and families would be at the mercy of the enemy, if they dared to obey the summons of their chief.

The death of Charles II on Friday, Feb. 6th, 1685, raised the somewhat flagging zeal of the English and Scotch exiles in Holland to fever-pitch. The hour had come, in the belief of all, for striking a blow for Protestantism and liberty now so seriously menaced by the accession of James II.[1] Different as were the characters of Argyll and Monmouth the similar circumstances in which they were placed drew them into alliance with each other, and the only hope of success in their several schemes lay in simultaneous action and in zealous co-operation with each other. The support which the one might reasonably count upon receiving in Scotland and the other in England, though considerable, was not sufficiently great to promise success ; but their joint action in the two countries seemed likely to be irresistible. The attempts at resistance to misgovernment and oppression which had been made at the risings of the Pentland Hills and of Bothwell Bridge had proved abortive, largely through the lack of co-operation on the part of friends of the common cause in the three Kingdoms. This defect those who were now determined to renew the struggle were anxious to avoid.

The two expeditions being each essential to the other's success there seems to be no reason to doubt the statement that Argyll, whose determination to invade Scotland was firmly fixed, did his utmost to convince Monmouth of the feasibility of the joint plan and to urge him to execute his part of it. With regard to himself, he is said to have declared, that as he was the head of a numerous Highland clan and as his father had been the leader of the Covenanting party, he was sure that great numbers of his fellow-countrymen would join

[1] MS. *Diary* of Lady Henrietta Campbell.

him. The fact that the Duke of Monmouth was associated with him would be an additional source of strength to him, for the former's clemency to the Covenanters after the Battle of Bothwell Bridge had made his name as dear in Scotland as that of the persecuting Duke of York was odious. The prospects in England he regarded as highly satisfactory. For the great body of Exclusionists who had joined to prevent James from mounting the throne would again join to pull him down, and though from the intermission of parliamentary government during the last years of Charles II's reign their voice had not been heard for some time, it would now break forth all the more violently because of the interruption. He said that he was firmly convinced "that a Prince, scarce seated on his throne whose subjects were divided and whose forces must be separated to oppose different insurrections could not withstand a double attack from England and Scotland at one time". He held up before Monmouth the examples of ancient heroes and the honour of being known to posterity as the deliverer of his country, and he reminded him of the fact that something was due to those who had suffered for his sake. Nor did he omit the argument from self-interest. James had already driven him from one asylum after another and would never be at rest until he had stripped him of fortune, of rank, and perhaps of life. Delay but strengthened the power of the enemy and rendered the task of overthrowing him the more difficult.[1] These arguments were evidently impressed upon Monmouth by correspondence through Spence, Argyll's secretary. For a letter is extant in which the Duke writes to the latter in undecided terms, combating some of the reasons which had been used to impel him to light the torch of rebellion, but agreeing to a meeting at which matters might be still further discussed. A pathetic note is discernible in the close of the letter where he says: "To tell you my thoughts without disguise, I am

[1] D'Avaux, quoted in Dalrymple, *Memoirs*, vol. I, p. 114.

now so much in love with a Retired Life, that I am never like to be fond of making a Bustle in the World again ".[1] Well, indeed, would it have been for him if he had had the firmness to refuse to be drawn from his seclusion. Macaulay lays on Ferguson "the Plotter" the responsibility of urging Monmouth to take the path which in such a short time led him to the scaffold.[2] What we have just written reveals Argyll as at any rate sharing it. Indeed as the latter had inducements to offer in the way of raising and arming soldiers to carry out a joint project, we may reasonably suppose that his words would have more weight than those of a mere professional conspirator like Ferguson. Monmouth himself gave Argyll the principal blame when, after his capture, he deplored his having been misled by evil counsellors.[3]

The Duke of Monmouth on coming to Rotterdam expressed himself in favour of immediate action before the Duke of York, as he called the English Sovereign, should have had time to strengthen his position. Argyll had his preparations so far forward and was so determined to make the attempt that he was inclined to force the hand of his fellow-exiles and to treat with but scant patience the cautious enquiries which they made into his resources and plans. He informed them that, through the liberality of private friends whom he had made after his escape into England, he had been able to lay out £10,000 Sterling in the purchase of arms, ammunition, provisions and a frigate, that many in Scotland had promised to join him when he landed, that he anticipated raising an army of five thousand men among his own vassals and tenants, and that he had such intimate acquaintance with the country that he knew where to land, march and encamp to the best advantage. He also said that as many of the details with regard to the

[1] Welwood, *Memoirs*, App. XV.
[2] *History*, vol. I, chap. 5.
[3] Reresby, *Memoirs*, p. 340.

co-operation of persons in Scotland, and with regard to his own plans could not be divulged without breach of confidence and without hazard to the whole undertaking, he had to request them to abstain from minute enquiries, and if they thought good to serve under him as general to rely upon his ability and integrity and fitness for the office. He declared that he wished none to follow him who had not full confidence in him, but that he would very soon sail with those who would join him. [1] This tone of speaking was not very satisfactory to some of his hearers, and they told him that they would consider matters before coming to a decision and would consult with the Duke of Monmouth. The republican feeling animating many of the exiles indisposed them to render the kind of allegiance which the Earl was accustomed to receive from his vassals. The same feeling rendered some of them suspicious as to the private designs of Monmouth upon the Crown and as to the possibility of his utilizing their present undertaking as a stalking-horse for aiming at it. Argyll had spoken of Monmouth in terms which implied considerable jealousy and distrust of him, and his fellow-exiles were anxious to come to a perfectly clear understanding with regard to the matter of co-operation between them.

At a meeting with Monmouth Sir Patrick Hume asked him definitely if he believed himself the lawful son of Charles II, and if he intended to lay claim to the Crown. To the first question he replied in the affirmative : and to the second he said that he had no intention of urging his claim, unless he were advised to do so by those who would join with him to deliver the nation. He promised that in case of success he would resign the title of King to the people or to their representatives, and accept any place in the Commonwealth which might be bestowed upon him, and feel completely rewarded by having been "instrumental of so much good to his fellow-countrymen". Sir Patrick told him that they found

[1] Hume, *Narrative*, p. 11.

many of their best friends in England "jealous of his aspiring to the royal dignity, of which, by reason of the great abuses of it, and the miserable consequences so habitual as now [to] become its second nature, they were extremely disgusted, and so somewhat averse to meddling with him".[1] On this he swore in the most solemn manner that he would be faithful to his word, and his declaration produced a favourable impression upon all present. It was then decided that the enterprise should not go on unless an attempt were made in England at the same time with that in Scotland.

Sir Patrick Hume, in his *Narrative of Occurrences in the Expedition of the Earl of Argyle in 1685*[2], records the long and tedious discussions which took place before the enterprise was set on foot. As, however, he wrote after the expedition had been defeated, we must not credit him with having in the days of planning and preparing the wisdom which he gained from sad experience. According to his account Monmouth, on hearing of Argyll's confidence as to results and of his eagerness to begin operations, offered to accompany him, if the prospects in England should not prove encouraging.[3] This arrangement would have given satisfaction to some in Scotland who would have preferred to serve under Monmouth rather than under Argyll,[4] but it is not wonderful that the Earl was considerably startled by the suggestion. Monmouth who had been Commander-in-Chief of the forces in England and in Scotland could scarcely go on such an expedition as a subordinate commander, and Argyll was naturally disinclined to take a second place in an enterprise for which he had virtually provided all the sinews of war. He said that if Monmouth had arms and ammunition sufficient for the purpose he would be willing to serve under him even as a private. But if he

[1] Hume, *Narrative*, p. 12.
[2] Printed in Rose, *Observations on the Historical Work of C. J. Fox* (1809).
[3] Hume, *Narrative*, p. 15.
[4] Erskine, *Journal*, p. 128: Foxcroft, *Supplement to Burnet*, p. 156.

were unprovided with these, how, he asked, could Monmouth undertake the business? On this he was told that the arms and ammunition of which he himself had spoken at their previous meeting were considerable in quantity and would serve the purpose. He replied that those who had provided them and had a right to say how they should be employed, would have nothing to do with Monmouth. We can easily believe that the Earl was, as Hume reports him to have been, "High, peremptory, and passionate,"[1] at this meeting, and that he broke off from it with mortified pride at the thought of being deprived of the command in an expedition which owed its initiation to him, and for the success of which the exercise of his influence as the head of a powerful clan in Scotland was absolutely essential. He at once had an interview with Monmouth himself in which all things were settled to his satisfaction. It was agreed between them that nothing should be done unless operations were carried on in England as well as in Scotland, that Monmouth and the English exiles should prepare for the English part of the business, and Argyll and his fellow-countrymen for the Scotch part, and that when things were ready every endeavour should be made for simultaneous action in both countries. In order to bind the expeditions more closely together two prominent Englishmen, Rumbold and Ayloff, were to accompany Argyll, while one of the leading Scotch refugees, Fletcher of Salton, was to accompany Monmouth.

As the exiles were rather too much under observation at Rotterdam, the Earl and his associates removed to Amsterdam in order to complete their arrangements. Hume tells us that many of the English exiles were greatly taken with Argyll and "esteemed him very highly."[2] His position as a Highland chieftain at whose command thousands of armed men—vaguely estimated at any number from fifteen thousand downward but not

[1] Hume, *Narrative*, p. 17.
[2] *Ibid*, p. 18.

less than three thousand—would start, as it were, from the soil, was no doubt to them very impressive. For, as Macaulay says, no Englishman of like rank could count on being followed even by his gamekeepers, if he were to raise the standard of revolt.[1] Hume tells us that the prophecy of an English astrologer, John Holwell, was current at that time in Holland. In 1683 he had published a book entitled *Catastrophe Mundi*, which contained a hieroglyphical picture representing "a little Highland man, as the habit shewed, brandishing his sword over a field of dead bodies."[2] As Argyll was not very tall and was of that nationality and was on the point of making war, one interpretation at any rate of the mystical picture was easily possible. Nor was this the only supernatural hint of coming events which is recorded as having been given in those days. "In December, 1684", says Fountainhall, "we [in Scotland] were troubled with the rumours of visions and apparitions, viz., a shower of blewbonnets [was] seen in the air at Glasgow, and evanished when they came neir the ground. Item a shower of blood at Moffet and a litle ghost and spectre appears at Rosneth, one of my Lord Argile's houses, wher Athol has got his locality, and placed a garrison of 50 men; it beats the sojors sometimes, and bids them make good use of their tyme, for it shall not be long."[3]

The risk of a breach between Argyll and Monmouth having been obviated by a formal understanding between them the situation was somewhat improved. But the Earl's relations with those who were to accompany him to Scotland were still of a stormy character. The latter were of course anxious not to undertake the expedition without a definite prospect of being strongly supported both in the Highlands and Lowlands. On the other hand the Earl was unable to give exact figures even in the case of his own clansmen, and he was unwilling to

[1] *History of England*, vol. I, chap. 5.
[2] *Narrative*, p. 18: Fountainhall, *Historical Observes*, pp. 104, 185.
[3] *Ibid*, p. 142.

disclose confidential promises of aid received from persons in the Lowlands. The date of his leaving Holland, he declared, he would not announce until twenty-four hours before it took place : and to no mortal man would he tell the place of his landing in Scotland until, at any rate, they were at sea. With regard to the last named point all were of course convinced that he meant to land somewhere in the Western Highlands, for he spoke of being joined on arrival by three or five thousand of his vassals. He anticipated giving "York's forces" twelve months' hard work to make headway against him, [1] and this pointed to a campaign in a remote, mountainous territory, where circumstances would be favourable to him and disadvantageous to the enemy. Hume and others were on the alert to check attempts on his part which they believed he was perpetually making, to secure unlimited power and command ; while he, of course, was desirous to be entrusted with the authority without which no military commander can hope for success. The feelings of both parties ran so high that more than once they almost decided to go no further with the enterprise, but at last matters were definitely arranged.

A meeting was held at Amsterdam on Friday, Apr. 17th, 1685, at which twelve persons, including the Earl and his son Charles, were assembled. Sir John Cochran presided, and after those present had formally constituted themselves a Common Council, the following matters were decided upon : To declare and undertake a war against the Duke of York, for restoring and settling the true religion and the rights and liberties of the three kingdoms ; to add to the Council of management on coming to Scotland such persons as might join them and be judged suitable thus to be associated with them ; to choose the Earl of Argyll to be their general, "with as full power as was usually given to generals by the free states in Europe," and to appoint a person to draw up the declaration of war, to be given in at their next

[1] Hume, *Narrative*, p. 25.

meeting.[1] These resolutions drawn up by such a tiny assembly of men, possessed of such limited resources for carrying out the undertaking in question, would seem ludicrous, if one could forget the tragic consequences which flowed from them—the disappointment of gallant hopes and endeavours, the death of brave men, and all the agony and despair involved in the defeat of a great cause. Yet we have to remember that what this small group of men decided upon as desirable was soon afterwards carried out, though by other hands than theirs. In three short years another expedition set out from Holland, which accomplished once and for all the work of deliverance which had been too great for these courageous pioneers.

The Earl cordially acquiesced in the decisions arrived at by the Council, and preparations for departure were hurried on. Three vessels were procured, and the arms and ammunition which had been provided were stored in them. Monmouth by this time had received encouraging messages from England and he urged his Scotch associates to lose no time in setting out, promising to sail for England six days after they left. His parting counsel to Hume and to two of the other members of the managing committee was that they should not be persuaded by Argyll to remain in the Western Highlands, but should push on quickly to the Lowlands. "For," said he, "if I did not know you are able to over-rule his inclination in this, and to effectuate it, I should not stir a foot."[2] They on their part engaged to do their utmost in this matter. As we shall afterwards see, this difference of opinion between Argyll and his colleagues paralyzed their action on coming to Scotland and ultimately proved fatal to the expedition.

A fortnight before the Rye-House Plot was revealed to the Government, Mr. Veitch had gone to the north of England to see his family and friends, and so he escaped

[1] Hume, *Narrative*, p. 34.
[2] *Ibid*, p. 37.

arrest when his fellow-conspirators were taken. Efforts were made to secure him and he was forced to seek refuge in one hiding-place after another. At last he went across to Holland, where so many of those were assembled who were prepared to assail the House of Stewart by secret plot or by open war. He joined his friend Argyll and on the death of Charles II entered eagerly into the scheme of an invasion of Scotland and England. As a preliminary step to this undertaking, the Earl despatched Pringle of Torwoodlee into the district of Moray, and Veitch to Northumberland and the English border, to prepare friends of "the good cause" for the insurrection which was in prospect. Lord Grey, who was Monmouth's principal supporter, gave Veitch a commission to his chief steward in Northumberland to provide money for raising and equipping as many horse and foot soldiers as possible. Argyll instructed him as to obtaining funds from other quarters and expending them on "arms, colours, drums, horses and the enlistment of recruits," and he gave his emissary special instructions to put himself into communication with "old Oliverian officers." "Somewhat of all which he did," Mr. Veitch says of himself, "and through his too much travelling through the country and the zeal of severals in many places to rise, the matter was like to take wind, so that he was forced to retire up to the mountains in the borders near Reidsdale head, and hide himself from his very friends, until the season of appearing came."[1] The military authorities on the English side of the Border were informed of his proceedings and sent word to the Scotch Privy Council, who at once despatched soldiers to discover and apprehend him. He escaped capture by taking to the hills and hiding for weeks together among the heather and in solitary places. Here he was forced to remain during the time of Argyll's invasion of Scotland, and hither the tidings came of defeat which made him think

[1] McCrie, *Memoirs of Veitch, etc.*, p. 148.

the case now to be "hopeless and helpless." [1] Pringle's embassy to the region of Moray where Argyll had connexions whose politics and sympathies were in harmony with his own, was equally a failure. There was some hazy project of landing part of the invading force in Moray in order to distract the attention of the Government, but nothing came of it. The friends of Argyll's cause there were too weak and isolated to support it, by open insurrection, and the invaders were too few in number to render it advisable for them to land any of their men in that part of Scotland.

Among those who accompanied Argyll in his expedition were his second and third sons, Charles and John, the latter, however, merely as a companion to his father, as he was unable to join in any military undertaking from some weakness in his hands. William Spence, his steward or secretary, who had suffered so much from torture in Edinburgh, was sufficiently recovered from the effects of it to be able to act as secretary to the Council of War, which had the oversight and control of the invasion of Scotland. Along with him we may name one who was doomed to be his companion in misfortune, William Blackader, the eldest son of the Rev. John Blackader who had formerly been minister of Troqueer in Dumfriesshire, and who had since his ejectment been one of the most famous field-preachers in Scotland. William Blackader had graduated in medicine in the University of Leyden, but his interest in politics was intensely strong and led him to risk his life in this expedition. As a reward for his services he was appointed Physician to William III after the Revolution. Among Argyll's other principal supporters were Sir John Cochran, the second son of the Earl of Dundonald, and Sir Patrick Hume afterwards the Earl of Marchmont and Lord Chancellor of Scotland. Of these two, Cochran was much the more steadfast and thorough-going in the

[1] McCrie, *Memoirs of Veitch, etc.*, p. 150.

obedience which he rendered to the Earl, as the commander of the expedition. Indeed Hume by his jealousy of Argyll's assuming a larger degree of authority than the Council had assigned to him, by his carping criticisms and refusals to submit to the Earl's decisions at important junctures, was largely responsible for the failure of the enterprise. Ayloff, who was a nephew by marriage of the old Earl of Clarendon, James's father-in-law, had been involved in the Whig Plot and was associated with Argyll's undertaking as a partisan of Monmouth's. He was an ardent politician but made no pretence to saintliness of character, and when defeated and taken prisoner he attempted suicide. Allied with him was the ringleader in the plot to assassinate the King and the Duke of York. This was the notorious Rumbold, one of Cromwell's officers, who had been present at the execution of Charles I and had afterwards fought at Dunbar and Worcester. His nickname among his intimates was "Hannibal", from the fact that like the famous Carthaginian general he had but one eye.[1] After leaving the army he had married the widow of a maltster and he was the proprietor of the Rye-House, which had been thought a convenient place for attempting the assassination of the royal brothers. His enthusiasm in the present undertaking was unbounded. When the day of his execution came he declared that such was his belief in the righteousness of the cause and in his own innocence in the matter, that if every hair on his head were a life he would as willingly part with them, as he did with that which was all he had to give.[2] "Poor Rumbold," said Argyll of him, "was a great support to me and a brave man and died Christianly."[3] The scheme of assassination in which he was the principal conspirator may seem to us very inconsistent with the protestations of integrity and of devotion to the cause of God, which

[1] Fountainhall, *Chronological Notes*, p. 56 : Sprat, *A True Account, etc.*, p. 23.
[2] Wodrow, *History*, vol. IV. p. 315.
[3] *Ibid*, p. 299.

poured from his lips upon the scaffold. It would, however, be unfair to judge him by the moral standard of our age, which differs so considerably from that of his. The proposal to overpower the guards and attack the royal carriage may have seemed to him more as a military engagement, in which the assailants ran risk of life as well as endangered the lives of others, and thus to be different from the murder of helpless, unarmed men. At any rate the proposed victims of his plot had no hesitation in sanctioning such attempts when directed against their enemies. Charles during the time of the Commonwealth had approved of similar designs against Cromwell, and at a later time James II in his exile was accessory to schemes of the same kind directed against his own son-in-law, William III.[1]

There were two other persons in Argyll's company for whose conduct no palliation can be offered, John Balfour of Kinloch and George Fleming, who had taken part in the assassination of Archbishop Sharp at Magus Muir six years before.[2] Were they visited at times, one wonders, by remorse when they thought of the shrieks and supplications of the terrified ecclesiastic, as he grovelled before his murderers, and of the tears and prayers of his daughter in whose presence they had butchered him? We may doubt it. So highly strung by their fanaticism do the members of that dread confederacy seem to have been, that most probably they thought their action as justifiable as that of Elijah when he slew the prophets of Baal, or that of Mattathias, the father of Judas Maccabæus, when he mingled the blood of the recreant Jew with that of the idolatrous sacrifice he was offering.[3] We may regret, as some then did, that Argyll allowed these men to accompany him; but doubtless to the perverted minds of some of his associates, their presence imparted a certain air of consecration to

[1] Trevelyan, *England under the Stuarts*, p. 420.
[2] Fountainhall, *Historical Observes*, p. 183.
[3] 1 *Macc.* II, v. 24.

the enterprise.[1] And certainly from the section of society to which they belonged—the irreconcilable foes of Prelacy—a considerable measure of support for the present undertaking was confidently expected.

[1] *Memoirs of Capt. Creighton*, p. 125.

CHAPTER XVIII.

Departure of the invading ships from Holland—William of Orange's assistance in the project—Preparations for the defence of Scotland—The disaster at Orkney—Landing in Islay—Arrest of Countess of Argyll and other members of the family—Arrival of the Expedition at Campbeltown—The *Declaration* published and also a personal statement by Argyll.

The three vessels which Argyll had bought for carrying out his scheme of invading Scotland were the *Anna* carrying thirty guns, the *David* carrying twelve and the *Sophia* carrying six.[1] Of these the *Anna* was the best and was appointed as that to be commanded by the Earl himself, as Admiral of the tiny fleet. On Tuesday, April 28th, 1685, the last of the company that had undertaken this desperate enterprise took boat at Amsterdam and sailed north to embark for Scotland on board their vessels which lay at the Vlie. This was a passage from the Zuyder Zee into the North Sea, between Vlieland and Torschellung, now largely silted up by sand. This passage was at that time greatly frequented, but was afterwards superseded by the canal from Amsterdam to Helder and at a later time by the North Sea Canal. When they arrived there they found that the *David* was fully loaded and was ready to sail. Her papers had been duly examined and certified and she was lying outside the Vlie, waiting for her consorts. The *Anna* and the *Sophia* were surrounded with lighters filled with goods yet to be put on board, and two days passed before this

[1] From an official document published in Edinburgh on June 1st, 1685.

work was completed. On the Thursday the exiles were considerably disturbed by noticing that their vessels were watched by the English Consul and others with telescopes from a boat which rowed round them several times, and that the persons in question, after sending some message ashore, had apparently set off for Amsterdam.[1] These movements suggested that measures were being taken to hinder the sailing of the two remaining vessels, and to obtain orders from the States General to seize them. The next day the *Anna* and the *Sophia* were ready to sail and were moved down to the passage leading into the North Sea. They hoisted the flag which was the signal for the officers to come on board to examine the ships' papers, but for some reason or another there was delay in their putting in an appearance. This fact, together with the previous occurrences, threw Argyll into an agony of nervous apprehension lest his sailing should be hindered. He proposed to break all rules and to sail at once before any attempt could be made to detain the ships. His associates were less agitated than he was, and they pointed out that, if they put to sea without being officially cleared, the war-frigate that lay there would undoubtedly fire upon them and probably sink them, as they were but ill prepared for such an attack. They also reminded him that there were persons on board who had served them faithfully in bringing goods and in loading the ships. These men were now about to return ashore and would be seriously inconvenienced and compromised by being involved in such an illegal action as that proposed by him. They suggested that the men should be sent ashore with a request that the officers should at once come off, and that if the latter did not appear by a certain hour the vessels might sail away without being examined and run whatever risk might be involved in such a course. The Earl's anxiety, however, was great and he conjectured all kinds of evils as likely to befall them. He had no doubt but that their

[1] Erskine, *Journal*, p. 114 : Hume, *Narrative*, p. 38.

ships would be visited, and that by a company strong enough to seize them by force, and he was convinced that the English consul had already procured instructions for this to be done. The others pointed out that there had not been sufficient time to receive orders to this effect from Amsterdam, and they undertook to prevent any boats containing armed men from boarding their vessels. But Argyll was not satisfied with their arguments, and he removed at once to the *David*, which lay outside the passage and ran no risk of being interfered with. Soon after he had left and while the men belonging to Holland were being put ashore, the boat containing the official visitors came off. All the anxiety that had been experienced turned out to have been gratuitous. Passports and other papers were examined and declared to be in order. The vessels were apparently ordinary traders bound for Venice,[1] and care was taken by those in charge of them to avoid disturbing this impression of matters. Men engaged for military service in Scotland, whose presence on board might have excited suspicion, were concealed for the time below decks. The visitors were either blind or they affected to be blind to the true state of matters, and after civilities had passed on both sides they wished the voyagers a successful journey and took their leave. The vessels at once sailed through the guarded passage and joined the *David* where she lay at anchor outside waiting for them.[2] They were followed by a yacht which the magistrates of Amsterdam had perfunctorily dispatched with a message forbidding them to sail. The captain, however, kept at some distance from them and on being menaced by a shot fired from one of the vessels fell back and returned to Amsterdam.[3]

The Earl of Argyll at once reappeared on board the *Anna*, no doubt a little mortified at the incident which had led to his departure from her. The resistance to

[1] Burnet, *History of My Own Times*, vol. I, p. 630.
[2] Hume, *Narrative*, p. 39.
[3] Lingard, *History*, vol. X, p. 75n.

his proposals which he had recently experienced made it rather awkward for him to resume his place there, and accordingly he suggested that, as the presence of some one of "note and discretion" on board the *David* was desirable, it might be better for him to sail in that vessel. His real motive probably was to get away from Sir Patrick Hume, who had opposed the Earl's suggestions on the previous day with some heat, and who is said to have been such a "lover of set speeches" that he was hardly able to give the most trifling advice without them.[1] Sir John Cochran and his son insisted that Argyll should remain in the Admiral's ship, and offered to remove to the *David*, but as the Earl demurred at parting with them, Hume volunteered to go. His offer was accepted and he was allowed to take with him four or five of his more intimate associates. More might have gone with him but for the marked air of displeasure which the Earl assumed at the bare mention of their doing so. Characteristically enough, Hume on leaving stipulated that meetings of the Council of War should be frequently held in the course of the voyage, when the weather would allow of them.[2] It was not until seven o'clock on Saturday evening, May 2nd, that the three vessels, having in all not more than three hundred men on board, got under way and proceeded on their momentous voyage. The wind had been contrary, but before they got clear of the banks on that part of the coast of Holland it changed in their favour as suddenly as if by enchantment. Indeed it was afterwards said that the unusual rapidity of Argyll's voyage to Orkney and the Western Isles "made some think that witches had sold him a wind."[3] All were in good spirits now that the anxieties of the past few days were over, and they doubtless believed, with the sanguine temper of exiles returning home, that multitudes there were anticipating their arrival with the same joy and hope

[1] Carstares, *State Papers*, p. 100.
[2] Hume, *Narrative*, p. 40.
[3] Erskine, *Journal*, p. 115: Fountainhall, *Historical Observes*, p. 189.

which filled their hearts. All disguise with regard to the object of the expedition was now flung off. The Dutch sailors were informed that the Mr. Carr who had been most prominent in arranging matters was the Earl of Argyll, that the cargo consisted of military stores, and that they were bound for the west coast of Scotland and not for Italy; but they must have been more than usually dense and unobservant if much of this was news to them.[1] In the meantime full particulars of the numbers, resources, and designs of the invaders had been forwarded to the English Court by their agents in Holland; and the same wind that was so favourable to the expedition brought speedy tidings to London that it had set out.[2] Instructions were at once sent down into Scotland to make due preparations to defeat it. James II declared to Van Citters and Van Dykvelt, the Dutch ambassadors extraordinary, that of all the exiles Argyll was the ablest to make use of the means available for promoting and carrying out the project of an invasion.[3] From time to time he received notice of the preparations that were being made for the enterprise, and he demanded through the English ambassador, Skelton, that an embargo should be put upon the ships which were being fitted out. The result of this we have already seen. The authorities at Amsterdam were dilatory in taking measures for the purpose, and when in response to Skelton's complaints they proceeded to action, Argyll was already at sea.[4]

Macaulay has been at some pains to attempt to prove that both William of Orange and the States General of Holland were at this time most anxious to prevent the hospitality of their country being abused by warlike preparations being made there against the Government

[1] Fountainhall, *Historical Observes*, p. 189.

[2] Wodrow, *History*, vol. IV, p. 284: Burnet, *History of My Own Times*, vol. I, p. 631.

[3] They said that Argyll "was de bequaemste man, die daer leefde om in een toestant als degene daer in hij was, te ondernemen ende voorttesetten alles wat tot bereijckinge van haer ooghmerck soude connen werden uijtgedaght:" *Register of the Proceedings of the States General*, May 5th, 1685.

[4] Klopp, *Der Fall des Hauses Stuart*, vol. III, p. 59.

of Great Britain, and that they were hindered from carrying out their wishes by the fact that both municipal and provincial authorities were to a large extent independent of the federal Government and of the House of Nassau.[1] We presume that James II was as fully acquainted with the nature of the Batavian institutions as the modern historian could be. Yet the fact remains that he considered he had ample grounds for dissatisfaction with the conduct both of his son-in-law and of the States General, so far, at any rate, as concerns the expedition of Argyll.[2] The exculpation of William of Orange is, however, rendered much more difficult by the fact, apparently unknown to his defender, that he contributed to the expenses of Argyll's expedition; for in a list of disbursements by his agent, Carstares, appears a sum of money given to Wishart, the master of the vessel in which the Earl sailed for Scotland. This money was given by Carstares with William's knowledge and the person receiving it was commended to him as one whose honesty and willingness to serve him were beyond all doubt.[3] It is for casuists to reconcile this with his offer to come over in person to deal with Monmouth's rebellion with which Argyll's expedition had been so closely connected. Our own explanation of matters is that he was quite willing to promote two Protestant experiments before making a third himself.

The preparations for the invasion of Scotland were on such a small scale and the disaffected districts of the country had been so thoroughly terrorized that the Privy Council were not greatly agitated by the tidings that the armament was on its way across the North Sea. Yet it was thought advisable to summon all the heritors of Scotland, i. e., all those who held landed property, to defend the country. These together with the standing

[1] *History*, vol. I, chap. 5.
[2] Barillon to Louis, Fox, *James II.* p. LXXXI.
[3] Carstares, *State Papers*, p. 35 n. Wishart was afterwards made English admiral.

forces and militia were expected to provide an army of about sixty thousand men, and it was arranged that one third of these should be stationed at Selkirk to guard against an outbreak of rebellion on the English border, that another third should be stationed at Stirling to control the Highlands, and that the remainder should be stationed at Glasgow to overawe the west country. At the same time the Marquess of Atholl and the Duke of Gordon were ordered to occupy Inveraray and to hinder, as far as possible, aid from Argyllshire being given to the insurgents. The extent of these preparations for defence might indeed seem to imply that the Government was seriously alarmed by the invasion; but the truth was that while they believed that Argyll could do but little, they were very much afraid that he might obtain strong support from the disaffected party in England under the Duke of Monmouth.[1]

Early on the Tuesday morning (May 5th) the little squadron caught sight of the Aberdeenshire coast at the entrance to the Moray Firth. The vessels lay to and a consultation was held on board the *Anna* as to the course to be taken. As the favourable breeze had freshened into a gale, some of the leaders of the expedition thought that it would be advisable to put into the Moray Firth for a little; but this suggestion was set aside on the ground that any delay of the kind might result in their being windbound in those waters. Ultimately it was decided to sail to the north of Orkney and thence to the west coast of Scotland. It is probable that the course through the Pentland Firth was avoided because of the risk of their movements being observed and reported by persons on the look-out on the one side or the other of that narrow tract of sea. It was at this point of the voyage that the first great disaster befell them. The gale suddenly died away and a dense fog came on; so that they missed the passage between Orkney and Shetland and found themselves on the Wednesday

[1] Fountainhall, *Historical Observes*, pp. 165, 166.

evening in Skapa Flow, on the south shore of the mainland of Orkney. It was with difficulty that they could make out the coast, and the fog was so thick that they could scarcely see each other's lights; but fortunately they had kept together, and had escaped shipwreck among the dangerous currents and islands and sunken rocks into the midst of which they had been carried.[1] The three vessels anchored in Swanbister Bay and it was thought advisable to send ashore for pilots to guide them out when the fog lifted.

The procedure adopted in this emergency was unfortunate to the last degree. Mr. Spence, the Earl's chamberlain and Secretary to the Council controlling the expedition, seems to have had some connexion with Orkney. He had, at any rate, an uncle living in Kirkwall, and no doubt it was this fact which led him to volunteer to go ashore. The Earl gave him permission to do so without consulting the Council of War. Dr. Blackader accompanied him, and they landed at Smoogrow.[2] They received instructions with regard to obtaining pilots and enlisting recruits, and they undertook to return the next day at noon. That very evening, however, they were arrested in Kirkwall by order of the Bishop and Magistrates as "servants to a rebel," and information of what had occurred was forwarded to the Privy Council.[3]

The consternation caused by this news on board the fleet was very great. The Council of War met on board the Admiral's ship and a hot debate took place over the matter. The Earl disowned reponsibility for the loss of two such prominent members of their company, and said that he had merely complied with their wish to go ashore.

[1] Wodrow, *History*, vol. IV. p. 285.
[2] *Ibid*, p. 285.
[3] Brown, *Diary*, p. 34. Thomas Brown was a writer in Kirkwall, whose *Diary* (1675-1693) was published in 1898. From his narrative it seems that Blackader and Spence were confined to their lodgings and the house guarded. Spence, we may say, is an Orcadian name. The local tradition is that the William Spence of our history was of an Orcadian family. We are indebted for this latter fact to the Rev. J. B. Craven of Kirkwall.

The great mistake, however, had been in granting permission without consulting his colleagues. A number of the Council, whose spokesman was Sir Patrick Hume, advised that all the vessels should at the earliest possible moment sail for Kirkwall, land half a dozen boats, full of well-armed men, under shelter of their cannon and free their companions from confinement.[1] This plan had much to recommend it. The loss of prestige in submitting to such an affront at the outset of their enterprise would certainly be considerable ; while a very unfavourable impression was likely to be made upon the rest of the company and upon those whom they were expecting to join them, if they abandoned their associates to their fate when an attempt to rescue them was quite feasible. On the other hand the authorities in Kirkwall had already been warned from Edinburgh to prepare for invasion and had had time to put the town in some measure of defence. This fact made the work of rescue all the more difficult and uncertain. It would be madness to attempt anything like a siege, for every day's delay aided the Government to complete the task of putting the country in a state of defence.

The Earl suggested that vigorous reprisals should be made. This course was strongly supported by Sir John Cochran and was ultimately adopted by a majority of votes. A long boat was sent ashore with fifty men, and some gentlemen of the district were taken prisoners and brought on board the ships. These were a James Stewart, the laird of Graemesay, and his son, three gentlemen of the name of Graham, a Mr. Mouat and a Mr. Crofts.[2] The Earl thereupon wrote to the Bishop demanding an exchange of prisoners and declaring that if Spence and Blackader were not released by ten o'clock on Saturday morning he would sail away and treat his captives exactly as his men were treated in Kirkwall. The Orcadian gentlemen also were induced to write

[1] Hume, *Narrative*, p. 41.
[2] Erskine, *Journal*, p. 115 : Fountainhall, *Historical Observes*, p. 164.

supporting his demand. But it was all in vain. The Bishop sent no reply, though the fleet lingered on until two o'clock on the afternoon of that day. With reluctance the Earl then gave orders to proceed on their journey, and the vessels with the wind still in their favour made for the Lewis on their way down to Argyllshire.[1] While in Swanbister Bay they had seized a small vessel containing a supply of meal, and suitable for landing men and ammunition from the larger ships.[2] This they brought with them, but it was a very meagre compensation for the loss and ignominy which had attended their ill-fated visit to Orkney. The story is told that before they left Amsterdam it had been prophesied that James Stewart of the blood royal would be taken captive by them, and that they thought that this could be none other than the King whom they were seeking to dethrone. They now learned that one of their prisoners answered to the wizard's description, for he not only bore the royal name but he had Stewart blood in his veins, as he was a descendant of the Earl of Orkney who was a natural son of James V.[3]

The little fleet on leaving Orkney proceeded westward and then sailed down the Minch inside the Outer Hebrides, with the purpose of landing upon Islay, where it was hoped that a considerable number of efficient recruits for military service might be obtained. But they were hindered first of all by a calm and then by strong and contrary winds. By tacking they entered the Sound of Mull and they spent the night of Monday, May 11th, in the bay of Tobermory. One of those on board mentions with interest that this was the place "where the rich Spanish ship was sunk, for which my Lord Argyle did cause dive, having got some cannon."[4] The mere fact that six days elapsed before they reached Islay is

[1] Hume, *Narrative*, p. 42.
[2] Erskine, *Journal*, p. 115 : Fountainhall, *Historical Observes*, p. 164.
[3] *Ibid*, p. 167.
[4] *Ibid*, p. 116.

TO ILLUSTRATE ARGYLL'S INVASION 1685

progress by land ——————

progress by water - - - - - - - - - -

enough to indicate the ruinous ill-fortune which dogged the enterprise; for during every day and hour of inactivity on their part the enemy were consolidating their forces and strengthening their position.

On arriving at Mull the Earl sent his son Charles into Lorne with letters to the friends there whom he expected to join him. He called upon them to raise all the men they could and to support the cause of Protestantism and liberty. The Earl's son took possession of the Castle of Dunstaffnage [1] and sent the fiery cross into the surrounding district. The outcome of this attempt to secure recruits was very disappointing to the invaders, and was typical of the general reception which they met with in the Highlands. Some promised faithfully to join the Earl on a fixed day, and at the same time treacherously forwarded his letters and all the information they could glean about the expedition to the Privy Council in Edinburgh, and prepared to support Atholl's forces at Inveraray. [2] Some refused to believe that the Earl had come to Scotland since he had not presented himself in Lorne; while others were willing to stand or fall with him, if they were to be led at once against the enemy in their neighbourhood, but were not inclined to enlist in his army and be drafted away to the Lowlands and leave their property and families at the mercy of the foe. Two hundred volunteers at most were all that could be raised in the district. The Earl's son after putting a garrison in the Castle of Carnassery, the residence of Sir Duncan Campbell of Auchinbreck, and occupying the town of Ederline, four miles away, which was on Sir Duncan's property, brought word to his father of the condition in which he found matters there. [3]

In the meantime the invading fleet came down the Sound of Mull, and passed unchallenged within cannon-

[1] Fountainhall, *Historical Notices*, vol. II, p. 629.
[2] A specimen of a letter of this kind written from Campbeltown is given in App. II. It was forwarded by the recipient to the Privy Council.
[3] Wodrow, *History*, vol. IV, p. 287.

shot of Duart Castle, which was held by a hostile garrison, and on Friday (May 15th) cast anchor in the sound between Islay and Jura. Argyll confidently expected to raise six hundred men for military service in Islay, but before his arrival steps had been taken to hinder, as far as possible, any insurrectionary movement. Some four hundred and fifty Highlanders of the Marquis of Atholl's forces had entered the island, imposed oaths of fidelity to the Government and disarmed the population. After consultation with his associates Argyll resolved to land his men by night and surprise the enemy who were collected at Killarrow, the chief town in the island, some six miles away. Accordingly at one o'clock on the Sunday morning most of the troops on board the fleet landed in Islay. In three hours they arrived at their destination, only to find that the Atholl men had made their escape shortly before into Kintyre.[1] Islay belonged to the Campbells of Cawdor, who in 1612 succeeded the Macdonalds, "Lords of the Isles," as proprietors. The present representative of the family was a Hugh Campbell, who held the office of "Bailie" of Islay, or chief magistrate of the district. As one of the clan of which the Earl of Argyll was the chief, the Laird of Cawdor owed him some measure of allegiance and respect; but the Earl was not his feudal superior as Islay was held directly from the Crown.

The Bailie of Islay had just come through from Edinburgh in order to use his influence to hinder the invaders receiving any support in the island. He was unable, however, to organize active resistance to them. Argyll's troops were well equipped with weapons and with helmets and body-armour, so that they presented a somewhat imposing spectacle. Yet the number of recruits that came forward was disappointingly small, for only eighty men made their appearance and offered to support the good cause. There was some faint consolation in

[1] Barillon to Louis, June 7th, Hume, *Narrative*, p. XCV: Erskine *Journal*. p. 117.

Satire on Monmouth's expedition.

the fact that they were "lusty, tall and handsome men", and that they were probably devoted to the Protestant interest, as most of them had shortly before taken to the hills to evade the oaths of allegiance to the present Government which the Atholl men had imposed upon many of the islanders [1].

None of the gentlemen of Islay concurred in the rebellion, and though the people in general were friendly, the actual support given to the invaders was, as we have said, very slight. An attempt was made to compel the Bailie to use his influence on their side but it failed. When summoned to come to the General's headquarters he refused on the ground of loyalty to the present Government; and though an order professing to be in his name was issued, calling upon all men capable of bearing arms to join the insurgents, it produced no effect. Even the announcement that he was to be hung, if three hundred recruits were not at once forthcoming, was received with indifference. Those who had already enlisted were infected by the prevalent tone and only half of them made their appearance on the next day. [2] The shadow of disappointment must have fallen on the spirits of many of those in the expedition, when their attempt failed to secure aid from a population which had been reported to them as likely to support them enthusiastically. Hope, however, like an *ignis fatuus* flickered still before them and lured them on to calamity and death.

When the Privy Council heard on May 15th that Argyll was off the coast they at once despatched officers to Stirling to arrest his wife and his step-daughter, Lady Sophia. These ladies were brought to Edinburgh and imprisoned there, the Countess in the Castle, and her daughter in the Tolbooth, or common jail. Special hardship was inflicted upon the latter because of her

[1] Erskine *Journal*, p. 118 : Hume, *Narrative*, p. 43.
[2] Erskine, *Journal*, p. 118.

having assisted her step-father to escape in 1681.[1] At the same time Lord Neil Campbell, the Earl's brother, and James, the Earl's fourth son, were also apprehended and imprisoned in Edinburgh, and the Privy Council informed them and the other members of their family that were in custody that they would be treated exactly as the rebels treated the prisoners whom they took in Orkney. As, however, the Orcadians were subjected to no special ill-treatment, the Earl's wife and children escaped further molestation. The apprehension of the Countess and her daughter may have been a measure reasonable enough in the circumstances, and their separate confinement may have been quite justifiable. But for the authorities to thrust Lady Sophia into a jail among common felons, as they did, because of her heroism and piety in aiding her stepfather's escape from the Castle, was an act of barbarity. Those who ordered it may have been "Cavaliers," they can scarcely have been gentlemen. Shortly afterwards Lord Lorne put himself in the hands of James II and not only repudiated his father's action in invading Scotland but offered to serve against him.[2] He was not called upon, however, to put his offer into execution. No one can have regarded it as more than a discreditable device to safeguard his own interests now that those of so many members of his House were in peril.

The occupation of Islay by the invaders had been unpremeditated, and had been virtually a failure in the way either of inflicting a loss upon the enemy, or in that of obtaining additional support. The true scene of the inauguration of the enterprise was Kintyre. Here it was expected that numerous and enthusiastic recruits to the cause represented by the invaders would be forthcoming, not only because the country was directly under Argyll's influence, but also because of the stalwart Lowland

[1] Fountainhall, *Historical Observes*, pp. 167, 189: *MS. Diary* of Lady Henrietta Campbell: Lindsay, *Life of Lady Anna Mackenzie*, p. 127.
[2] Barillon to Louis, June 4th, 1685 (Fox, *James II*, p. XCIV).

element in the population already referred to, which consisted largely of zealous Covenanters. On Wednesday (May 20th) the fleet crossed over to Kintyre and landed at Campbeltown. The leaders went ashore and the formal *Declaration* of the reasons for insurrection and the objects aimed at by it was read at the Market Cross. [1]

This document had been drawn up in Holland by James Stewart, the advocate who had taken part in the defence of Argyll four years before, and who had since then been closely associated with him during his exile. He would have accompanied the expedition if Argyll had proposed to land in Galloway, but he declared that it would be ruinous to make the Highlands the base of operations, and that he would have nothing to do with such a scheme. The appellation of " Jamie Wylie " was often conferred upon him in common parlance, and the tradition of the Scotch bar is that he merited it. Certainly his decision in the present instance is evidence of his foresight and caution [2]. The *Declaration* which he drew up for the exiles contains an elaborate statement of the misgovernment and oppression of the past twenty-five years, and it lays great stress upon the risk to Protestantism involved in the accession to the throne of a Roman Catholic prince so able and determined and ruthless as the Duke of York had shown himself to be. The period in question had afforded a luxuriant crop of national grievances, and all these are detailed in the *Declaration*, especial notice being taken of the treachery and violence with which ecclesiastical changes had been effected, and the brutality with which the resistance provoked by the Government had been repressed. Reference is made to the wrongs which the leader of the present expedition had suffered—" the most unjust execution " of his father,

[1] Erskine, *Journal*, p. 119 : Wodrow, *History*, vol. IV, p. 286 : Hume, *Narrative*, p. 43 : Barillon to Louis, June 7th (*Ibid*, p. XCVIII).

[2] Fountainhall, *Chronological Notes*, p. 57n : Ibid, *Historical Observes*, p. 190 : Erskine, *Journal*, p. 163.

and the tyrannous procedure which had led to his own exile from his native land.

Yet though the document is formidable as an indictment of the rule of the House of Stewart since the Restoration, and as containing statements of grievances which were afterwards set forth in the Declaration of Rights as making a revolution necessary, it is singularly weak for the purpose for which it was drawn up. Adequate reasons were not given in it for the rebellion on which the invaders wished the nation to embark. The evils of the previous reign were numerous and gross enough, and might fairly when at their height have provoked strenuous resistance on the part of the nation at large, but since the long-suffering of the public had been sufficiently great to endure the strain occasioned by the evils recounted, there was no special reason why a general rebellion should take place at the present juncture. The danger to Protestantism, which the *Declaration* pointed out as involved in the accession of a Roman Catholic prince was an idea inspired rather by the conviction that the religion he professed must make him a persecutor than by overt acts of persecution of which he had been guilty. The time was, indeed, near at hand when that monarch would afford ample justification for the apprehensions now expressed, but at present the evils depicted in the *Declaration* were remote and contingent and might turn out to be quite chimerical. But the cardinal defect of the proclamation was that it presented no definite scheme for the future beyond the overthrow of the present Government. What was to be done after James had been dethroned was left untold. Some of those who were prominent in the present enterprise were ardent Republicans, and it was probably through their influence that no mention was made of the choice of a successor to the present Sovereign. None among them believed in the validity of the claim of the Duke of Monmouth to the Crown, and accordingly no reference was made to it in the *Declaration*, and yet all knew that it was sure to be

brought forward and pressed, if an opportunity offered. The mere uncertainty as to whether the then King was to be displaced in favour of some other member of the Royal house or of the son of Lucy Walters, or as to whether a Republic was to be substituted for the Monarchy, was of itself sufficient to paralyse any general movement towards revolution in the country. The *Declaration* was not even calculated to please the Western Whigs, who were expected to be the most ardent supporters of the present endeavour to redress the national grievances, as it made no clear reference to the maintenance of the Covenants. In vague terms it spoke of the "breach of sworn treaties, covenants and coronation oaths," but no one who was the least skilled in reading between the lines could fail to see that the revolutionaries were determined not to reimpose the yokes of 1638 and 1643. As a mere matter of fact, if they had announced their intention to maintain the Covenants, they would have lost the support of the faction in England which Monmouth was about to call to arms and with which they announced their intention to co-operate. All that can be said in favour of the *Declaration* is, that it gives a striking and pathetic picture of the miseries under which Scotland had groaned for many years past, and that it is less scurrilous than the kindred document published shortly afterwards by Monmouth. Indeed the only serious instance of the latter fault which it contains is the insinuation that Charles II had met with foul play, and that his brother was involved in the guilt of that crime. As, however, a rumour to this effect was wide-spread and had found credence in various quarters, no special infamy necessarily attaches to those who mentioned it in this formal document [1].

The *Declaration* was printed at Campbeltown and issued

[1] McCrie, *Memoirs of Veitch, etc.*, p. 162 : Welwood, *Memoirs*, p. 148 : Fountainhall, *Historical Observes*, p. 151 : Burnet, *History of My Own Times*, vol. I, p. 610 : Erskine, *Journal*, p. 137 : *Biog. Pres.*, vol I, p. 57, vol. II, p. 10 : Fox, *James II*, p. 57 : Hume, *Narrative*, p. 5.

as a small tract or pamphlet. As it was highly necessary for the success of the expedition to be able to issue proclamations and statements, and as the means of printing such might be difficult or impossible to get in out of the way parts of the country, the Earl had taken the precaution of bringing a printing-press and a printer with him from Holland.[1] The day after their arrival in Campbeltown there was service in the Parish Church at which Mr. Thomas Forrester officiated.[2] He had been minister at Alva, but in 1674 had been deposed for holding conventicles, and after a period of residence in Holland had returned to Scotland in the present expedition.[3] His sermon on this occasion was from the text, Exod. xxxiii—vv. 14, 15 : " And He said, ' My presence shall go with thee and I will give thee rest.' And he said unto Him, ' If thy presence go not with me carry us not up hence ' ". The sermon was of the kind known as " preaching to the times," and as the preacher was an able and eloquent man his words were listened to with deep interest. After the sermon the *Declaration* was again read, and then a special statement of the Earl's to his vassals and tenants was made. The reason why he thought it necessary to make this statement was, because it had been given out by his enemies that his motives in joining in the expedition, and in taking such a prominent part in it were of an interested character, and that he was not only desirous to recover his own property, but also to become possessed of that of some of his neighbours.[4] His statement was as follows :— " I shall not mention my case published and printed in Latin and Dutch, and more largely in English, nor need I repeat the printed *Declaration*, emitted by several noblemen, gentlemen and others of both nations now in arms ; but because the sufferings of me and my family are therein mentioned, I

[1] Fountainhall, *Historical Observes*, pp. 178, 195.
[2] Erskine, *Journal*, p. 119.
[3] Wodrow, *History*, vol. II, p. 252. After the Revolution he was appointed Principal of the New College, St. Andrews.
[4] Wodrow, *History*, vol. IV, p. 291.

have thought it fit for me to declare for myself, that as I go to arms, with those who have appointed me to conduct them, for no private or personal end, and only for those contained in the said *Declaration*, which I have concerted with them, and approven of; so I do claim no interest, but what I had before the pretended forfeiture of my family, and have sufficient right to; and that I do freely, and as a Christian, fully forgive all personal injuries against my person or family, to all that shall not oppose, but join and concur with us in our present undertaking, for the ends mentioned in the said *Declaration;* and hereby I oblige me never to pursue them in judgment or out of judgment. And I further declare, that obtaining the quiet and peaceable possession of what belonged to my father and myself, before the pretended forfeiture, I shall satisfy all debts due by my father and myself, as far as any heir or debitor can be obliged. And as my faithfulness to his late majesty and his government, has sufficiently appeared to all unbiassed persons, void of malice, so I do with grief acknowledge my former too much complying with, and conniving at the methods [that] have been taken to bring us to the said condition we are now in, though, God knows, never concurring to the design. I have now with God's strength suffered patiently my unjust sentence and banishment, three years and a half, and never offered to make any uproar or defence by arms, to disturb the peace upon my private concern; but the king being now dead, and the Duke of York having taken off his mask, and having abandoned and invaded our religion and liberties, resolving to enter into the government, and exercise it contrary to law, I think it not only just, but my duty to God and my country, to use my utmost endeavours to oppose and repress his usurpation and tyranny; and therefore being assisted and furnished very nobly by several good protestants, and invited, and accompanied by severals of both nations, to lead them, I resolve, as God shall enable me, to use their assistance of

all kind, toward the ends expressed in the said *Declaration*. I do hereby earnestly invite and obtest all honest protestants, and particularly all my friends and blood relations, to concur with us in the said undertaking. And as I have written several letters, so having no other way fully to intimate my mind to others, I do hereby require all my vassals everywhere and all within my several jurisdictions, with the fencible men, within their command, to go to arms, and to join and concur with us, according to the said *Declaration*, as they will be answerable at their highest perils, and to obey the particular orders they shall receive from me from time to time".[1]

After this special statement the Earl made a short speech in vindication of his present procedure ; and as his words were made additionally impressive by the worth of his personal character, his historical name, his relations to his hearers, and the solemn circumstances in which he was now placed, we are not surprised to read that many of those present were profoundly affected by them.[2] As he maintained that the Duke of York had forfeited his right to the throne by becoming a Roman Catholic, and was not entitled to receive an oath of allegiance, he no doubt felt free of the moral stain involved in treason.[3] But of course he knew that the enemy regarded these opinions as flimsy subterfuges, and would certainly exact the death penalty if he fell into their hands.

The *Declaration* failed utterly in making the desired impression upon those to whom it appealed.[4] Many in the country detested the illegal and oppressive actions which it recounted, as much as did the authors of it, but thought, that the overthrow of the laws and constitution of the country by a miscellaneous group of revolutionaries, would be a still greater evil than any of those from

[1] Wodrow, *History*, vol. IV, p. 290n.
[2] Erskine, *Journal*, p. 119.
[3] Fountainhall, *Historical Observes*, p. 192.
[4] Wodrow, *History*, vol. IV, p. 287.

which they had as yet suffered ; while the extreme section of the Presbyterian party regarded those who now asked their support without accepting their shibboleths as but little better than their persecutors. [1] Their anathemas were comprehensive and included not only the bloodstained King, and the treacherous prelate, but also the lukewarm Laodicean, and the careless Gallio. Indeed the conflagration, slight as it was, would soon have died out for want of fuel had not the conditions of society in the Highlands promised to supply it. The loyalty of clansmen to their chieftain, the smouldering hatreds of rival tribes, and the restlessness of those who in that half-civilized region looked upon war as a means of gaining a livelihood, all served to assist in the promotion of an insurrection. It was the authority of the Earl as a chieftain, and his intimate knowledge of Highland society and its politics, that gave him his commanding position in the present undertaking.

The results of his first endeavours to gain recruits had not been encouraging. Three companies are spoken of as having followed him from Islay, [2] but the strength of these cannot have been great, and as was often the case with Highland irregulars, their attendance upon their military duties was extremely erratic. Erskine, one of Argyll's associates in this expedition, whose *Journal* or diary is a valuable source of information concerning it, tells us of there being only twelve of them to be seen at one of the musters in Kintyre. The 22nd of May was appointed as the day of rendezvous for the district and the place of meeting was fixed to be " the park at the townhead of Campbeltown ". A number of Lowlanders resident in Kintyre came forward to enlist as soldiers, and probably they were the best recruits the insurgents ever received, as they were genuinely devoted to the Protestant cause. They were formed into companies,

[1] Erskine, *Journal*, p. 137. *Biog. Pres.*, vol. I, p. 87; vol. II, p. 86.
[2] Wodrow, *History*, vol. IV, p. 290.

officers were appointed over them, colours bearing the mottoes "For the Protestant Religion," and "Against Popery, Prelacy, and Erastianism", were handed to their ensigns, and the arms brought over from Holland were distributed among them.[1] The Earl proposed to one of the west-country gentlemen who were with him to cross over, with a detachment of their forces, to Ayrshire and to occupy Ardmillan Castle, some three miles south of Girvan, but he declined attempting the task until some intelligence had been received of the state of matters in that part of the country. When he was afterwards eager to go, the Earl hindered him on the ground that the district was strongly held by the royal forces and that war-frigates were off the coast.[2]

In a speech at the opening of Parliament on May 22nd, the King announced to the Lords and Commons that rebellion was on foot in Scotland, and called for the support of his loyal subjects. "I must acquaint you," he said, "That, I have had News this Morning from Scotland, that Argile is Landed in the West High-lands, with the men he brought with him from Holland, and that there are two Declarations Published, one in the name of all those in Arms there, the other in his own; it would be too long for Me to Repeat the Substance of them, it is sufficient to tell you I am Charged with Usurpation and Tyranny: The shorter of them I have Directed to be forthwith Communicated to you; I will take the best Care I can that this Declaration of their own Treason and Rebellion may meet with the Reward it deserves, and I will not doubt but that you all will be the more Zealous to support the Government, and give Me My Revenue, as I have desired it, without delay." In answer to His Majesty's speech the Lords, temporal and spiritual, "humbly offered to assist him with their Lives and Fortunes, against the said Rebels, and all other His Enemies whatsoever;" while the Commons resolved

[1] Erskine, *Journal*, p. 137.
[2] Wodrow, *History*, vol. IV, p. 290.

unanimously to do the same and to settle the revenue which had been assigned to his predecessor on him for life. The following day both Houses waited upon the King in the Banqueting-House at Whitehall to present to him a declaration of their loyalty and to announce that his wish with regard to the revenue would be carried out. The words in which he responded to their addresses sound strangely in view of his after relations to his subjects. He said 'that he could not expect less from them, that he relied on the assurances they gave him, which were the natural effects of their being monarchical, and Church of England men, that he would stand by all such, and so supported had no reason to fear any rebels or traitors he had, or might have.' [1]

[1] *His Majesties most Gracious Speech, etc.*, published by His Majesties Command, 1685.

CHAPTER XIX.

Relations between Argyll and his colleagues—Tidings from the Lowlands—Journey to Tarbert—Great controversy as to where the seat of war should be—The invaders take possession of Bute—A Reverse in Cowall—An attempt on Greenock—Occupation of the Castle of Ellan—Gheirrig—Spence and Blackader brought to Edinburgh—Operations on land in Glendaruel.

The relations in which the leaders of the expedition stood to their general were such as to make the ruin of their cause as certain as anything could be in a world in which chance seems so often to prevail. They were unwilling that he should take any steps, or decide upon any plan without matters having been fully discussed by the Council, and they jealously guarded against the assumption on his part of anything that seemed like autocratic power. They, indeed, seemed to be more eager to make sure that commissions in the army should run in the name of the Council and not in that of the Earl, than to see numerous recruits offering themselves for enrolment.[1] On the other hand the Earl, with all his good and amiable qualities, was lacking in that deferential manner of listening to the opinions of others, which conciliates a man's associates in any undertaking and secures their co-operation.[2] His experience of his colleagues, brief as it was, made him reluctant to hold Council meetings as frequently as they desired them.

[1] Hume, *Narrative*, p. 45.
[2] Rose, *Observations on Fox's History*, p. 183.

Sir Patrick Hume was one of those most seriously aggrieved by this state of matters, and in relating what occurred immediately after landing in Kintyre, he tells how the Earl evaded the consultations for which he had no liking; "As for a Counsell [he said] there was no present need nor could he get time to attend it, for modelling and arming such as came. His way here was to stay ashoare all day, still busied about something, and return at night to his ship: but obliged some of us alwise to stay in the towne upon some plausible reason of business to doe." [1]

The great question which forced itself upon the attention of all, and which divided them into two parties was as to the seat of war; whether it should be in the Highlands or in the Lowlands. The Earl's idea was that a firm lodgment should be effected in the Highlands, and a considerable army raised there before they proceeded to the Lowlands, and no doubt he anticipated that in the meantime Monmouth would land in England and by vigorous military operations distract the attention of the Government, and weaken its power of dealing with the insurrection in Scotland. Consequently he displayed a leisureliness in his methods that somewhat exasperated those who wished to proceed to the Lowlands without much loss of time. [2] As, however, a large part of the success of the expedition had been anticipated from the Earl's ability to raise an army in the Highlands some little time had necessarily to be allowed him for the purpose, and no immediate attempt on the Lowlands could be made. As the Highland troops that might be raised were to be placed, if possible, under officers who belonged to their own clans and who had joined the insurgents, many of those who had come from Holland, and expected commissions in the army, had to wait until there was an opportunity of raising regiments in the Lowlands to which they might be appointed. Ayloff

[1] Hume, *Narrative*, p. 44.
[2] Erskine, *Journal*, p. 122.

received the colonelcy of a foot regiment and Rumbold one of the cavalry and at once got their companies out of the recruits that enlisted at Campbeltown. [1]

Emissaries in the meantime were sent across into Ayrshire and Galloway to prepare the West of Scotland for joining in the insurrection and to gather information with regard to the enemy's forces. From one of these, a minister named George Barclay, the Earl received word within three days that the country was eager for their coming, and that in the district where his informant was a thousand horse could be levied easily within a very short time, that the enemy were panic-stricken, that Monmouth had landed in England and that his proclamation had already reached Ayr. [2] Great excitement at once arose among the invaders on the receipt of this news, and many were anxious to divide the troops and to cross at once into the Lowlands with half of them. Probably this would have been the best course which could have been taken in the circumstances ; for, though Barclay's report was erroneous so far as regards the rumours which he transmitted, there was no reason to doubt his veracity in matters of his own personal knowledge. He afterwards declared that he found five hundred men already on foot in Ayrshire, of whom all but a hundred were armed, and that besides the cavalry already mentioned two thousand infantry could have been raised there within two days, if there had been arms to give them. As it was, he said, hundreds offered themselves and went away disappointed for want of equipment and weapons. [3] Had prompt advantage been taken of the condition of matters in that part of Scotland and a body of troops landed there with a supply of arms, the history of the invasion might have been very different. The statement with regard to Monmouth's having set up his standard in England was of course

[1] Hume, *Narrative*, p. 44: Wodrow, *History*, vol. IV, p. 290.
[2] Erskine, *Journal*, p. 120.
[3] *Ibid*, p. 163.

a baseless rumour, as nearly three weeks had to elapse before his landing in Dorsetshire.

The prospects in the Lowlands being reported as so favourable, the delay in Kintyre seemed to many of those taking part in the expedition as ill-advised and harmful. Apart from the Lowlanders in Campbeltown and the neighbourhood, all the men who had been added to their numbers had been virtually pressed into military service, while few of the gentry of the district had joined them. Some of the Highland volunteers were even now beginning to drop away, according to the heart-breaking custom of irregular troops of that nationality.[1] Had any of them been followed up and punished as deserters, probably all those who were left would at once have returned home. Devotion to the cause for which the sword had been drawn did not exist among them. Some offered themselves as recruits out of loyalty to their chief, others with a view of enriching themselves by plunder, and others from a fraudulent desire to get some of the new weapons he had brought over from Holland.[2] As these facts were fully recognised by the leaders of the expedition, we cannot wonder that a number of them were impatient at the loss of time in Kintyre, and anxious to get into a part of the country where circumstances were more favourable to success. The Earl proposed that the vessels should sail along the coast to Tarbert, and that the troops already levied should march northward through the peninsula of Kintyre to the same place, and on their way summon the whole population to arms. The fiery cross had been sent though all Argyllshire and Tarbert fixed as the place of rendezvous. There he expected that his son Charles and other gentlemen would join them with at least twelve hundred men.[3] They could then, if it were

[1] Erskine, *Journal*, p. 120.
[2] Hume *Narrative*, p. 44.
[3] *Ibid*, p. 46. Wodrow, *History*, vol. IV, p. 291. Fountainhall, *Historical Observes*, p. 167: *Atholl Chronicles*, vol. I, p. 199.

desirable, divide their forces and operate against the enemy both in the Highlands and Lowlands. Although some would have preferred to divide at once, no serious opposition was offered to the proposal which only involved twenty-four hours' delay.

This arrangement was carried out, and on May 27th the ships by sea and the troops by land reached Tarbert, which is situated on the isthmus of the peninsula of Kintyre and within easy distance of Bute and of the Ayrshire coast. Here they were met by Sir Duncan Campbell of Auchinbreck and by the Earl's son, Charles, with about twelve hundred men, which brought up their forces to about two thousand five hundred horse and foot. [1] As three hundred men came from Holland it is evident that all the recruits they had gained from the time of their arrival in Scotland, down to their reaching Tarbert, had only amounted to about a thousand. The meagreness and inadequacy of these forces for the purpose of overthrowing the Government of Scotland might, one would think, have been apparent to all among the invaders who were capable of forming a rational opinion, and we can scarcely wonder at the helplessness and vacillation which marked Argyll's procedure at this crisis. There can be no doubt that he anxiously waited for definite news of Monmouth's arrival in England, and that he was desirous to postpone decisive action until that event had occurred. On the other hand his colleagues were set upon the plan of landing upon the Ayrshire coast and of co-operating with their friends there, of whose numbers and zeal they had had such encouraging reports. In the meantime the Earl proposed that as the Marquess of Atholl's forces were in Inveraray and were terrorizing the district, it would be best to drive them out before making any attempt upon the Lowlands. As matters then were there would, he thought, be difficulty in persuading the Highland officers and soldiers to leave their country at the mercy of the enemy. The

[1] *MS. Diary* of Lady Henrietta Campbell.

undertaking seemed to Argyll one likely to be easily accomplished. The troops holding Inveraray were only some five hundred in number, and he suggested that the ships might sail up Loch Fyne and attack the Castle, while the army under his command marched thither by land. No great military skill was needed to point out the futility and danger of such a scheme. English war-vessels were reported to be on the coast, and could easily catch the vessels containing their arms and ammunition in such a trap as a *cul-de-sac* like Loch Fyne would prove itself to be. If the enemy chose to defend the Castle, they could easily hold out until ample succour arrived ; but it was more probable that they would avoid fighting and retire to a distance, with the view of detaining their opponents in that out of the way region, and of forcing them to spend their strength in fruitless exertions. [1]

But matters were so confused and the counsels of the leaders so diverse and conflicting that it seemed impossible to agree upon a plan of procedure in which all could co-operate. No sooner had a scheme been concerted than the difficulties connected with it began to be realized and it was superseded by another. The Highlanders among them acknowledged that the main support of the rebellion was to be expected in the Lowlands, and hence they were willing to go thither, on receiving a promise that in case of success they would be compensated for losses inflicted upon the property which they had left at the enemy's mercy. But on the day after this arrangement had been made Argyll had a totally new scheme. He proposed that the Highland troops, amounting to some two-thirds of the whole army, should remain in Argyllshire to drive out Atholl's men, or, at any rate to keep them in check and to protect the country while the others entered the Lowlands. The advantage of this plan would be that a still larger number of recruits from the Highlands might be obtained, and that the task of

[1] *Atholl Chronicles*, vol. I, p. 201 : Hume, *Narrative*, p. 47.

invading the Lowlands and levying troops there would be facilitated, as the Government would be obliged to divide their forces in order to deal with rebellion in two widely separated districts.[1] He proposed to send the section of his forces, which was to operate in the Lowlands, in the *Sophia* with two thousand two hundred stand of arms for infantry and cavalry and as much ammunition as might be needed, and to arrange for the vessel to sail on the following day. But no sooner had the scheme been approved by all the Council than he departed from it, and without alleging specific reasons gave his colleagues to understand that it was impracticable, at any rate, for the present.[2] As might have been expected, the disappointment and irritation caused by this method of procedure were intense. Sir John Cochran, though usually a stalwart supporter of the Earl's plans, was almost beside himself with rage, and he declared that he would land upon the Ayrshire coast, even if he were alone and had nothing but a hayfork in his hand;[3] while the others were almost resolved to take matters into their own hands and to sail away and leave the Earl in Kintyre. Ultimately the pressure of circumstances shaped their plans. Provisions were no longer to be had in Tarbert and its neighbourhood, and as retreat into the Highlands was out of the question, it was decided to cross over into the island of Bute and find sustenance there.[4]

Yet however exasperating the procedure of Argyll may have been to his colleagues it was by no means unintelligible. Two circumstances had induced him to enter on this expedition, viz. his belief that he could raise an army in the Highlands and his compact with Monmouth. The presence of Atholl's forces at Inveraray crippled his power to levy soldiers in Argyllshire, while Monmouth's delay in invading England was equally embarrassing,

[1] Hume *Narrative*, p. 48.
[2] Erskine, *Journal*, p. 121.
[3] Wodrow, *History*, vol. IV, p. 291.
[4] Erskine, *Journal*, p. 121.

and so the only policy that commended itself to him was to endeavour to clear Argyllshire of the enemy, and to postpone entering on bolder measures until the promised co-operation of the English exiles had begun. The fact that after his capture he laid a large part of the blame of failure on Monmouth's tardiness or bad faith, confirms this view of matters.[1] Nor can we form a fair estimate of his conduct unless we keep in mind the anomalous and perplexing position in which he stood: for he had as his colleagues in command those from whom he had received his commission as General, and who were both inclined to resent any manifestation of independence on his part, and to scrutinize suspiciously the orders he might give. The general character of the relations between the unfortunate Commander-in-Chief and his officers was vividly described by the former after the rebellion had been suppressed, "Those who went with me", he says, "kept continual cabals, sent messengers, received intelligence by themselves, acquainted me with but what they pleased, and were trepanned by spies sent out by the enemy; and to the last hour never got one intelligence of use, nor assured me of one man to join with me; and when they spake or sent to any, did it in their own name. Once they persuaded me, like a fool, to give a letter of trust to one they sent out, and, like the raven he never returned. They designed sometimes to have seized some of the ships, arms, and provision, and effectually [actually ?] did break open, use, and embezzle what they pleased, without me. Some of them lived riotously, and spent the provisions as they pleased, so that many arms were spoiled and many lost, and provisions were spent sooner than was necessary; and except two hundred ducatoons I left, I spent all the silver upon them, and they claimed all as their due."[2] This account of matters is more like the description of a

[1] Wodrow, *History*, vol. IV, p. 290. Burnet, *History of my own Times*, vol. I, p. 633. Fox, *James II*, p. XCVIII, Barillon to Louis, June 7th.
[2] Wodrow, *History*, vol. IV, p. 298.

nightmare than of events in an actual campaign, and no one who has read it can have any difficulty in understanding why Argyll's expedition failed.

The invaders crossed over from Tarbert to Bute, but lost three days' time in doing so, because of an inadequate supply of boats to act as transports for their men and horses. In addition to procuring food there they hoped to obtain at least two hundred more recruits, and no more convenient place could have been found whence to carry on operations either against the Highlands or the Lowlands. The conduct, however, of the Highland soldiery, was not such as to commend to the inhabitants of that island the cause which they supported as one antagonistic to oppression and robbery; for they were guilty of plundering houses,[1] extorting money, lifting cows, and wantonly houghing cattle, sheep and lambs. Many of the leading men in the rebel army were very indignant at this procedure, and in one instance they compelled their unruly followers to give back to the owners a drove of two hundred cattle, which had been collected in the island and driven into Rothesay. The minister already referred to, Mr. Forrester, dealt with the matter from the pulpit and "did severely reprove" the offenders and warn them of their guilt. Among those who came under his censure was the Earl's own son, Charles, at whose command some of the outrages had been perpetrated.[2] As a mark of indignation at the burning of Carrick Castle, a residence of his on Loch Goil, the Earl had the portion of the old Castle of Rothesay which was still habitable burned down—an action which recalled the similiar achievements for which his father had been blamed many years before. This incident, at which his colleagues were afterwards vexed as savouring of private revenge, would probably have been

[1] Among other of their outrages they broke open the poor's box in the Parish church in Rothesay and carried off its contents. We are indebted for this item of information to the Rev. J. K. Hewison, D.D., Rothesay.

[2] Erskine, *Journal*, p. 122.

hindered by them had they been on the spot at the time. [1] It so happened that a number of them were engaged on an expedition to the Greater Cumbrae when it took place. About sixty men with Cochran and Hume had crossed to this island, which lies between Bute and the Ayrshire coast, with the purpose of gaining intelligence and of securing boats for transport service. As they were merely a reconnoitring party they did not attempt to hold the island. No sooner, however, had they left it than a detachment of the enemy crossed over from Largs, and staved in the boats which they had requisitioned and left to be made ready for their use. The same messengers who carried tidings to Bute of this disaster brought word that Largs was strongly held by a regiment of foot and some troops of horse. [2]

The position of the rebels was now hazardous in the extreme. They were within touch of the enemy both on the right hand and on the left. Capt. Hamilton in H.M.S. *Kingfisher* was lying in the Clyde off Dumbarton, after the exploit of burning Carrick Castle, and any hour three other war-vessels which had sailed from Leith a fortnight before, might be expected to arrive and cut off their retreat. The war-vessels had been warned to be on their guard against fire-ships and other "knacks" of Argyll for their destruction, [3] but as matters turned out they ran no great risk from this quarter. In the meantime the Government were able to take measures in the part of Scotland where a large section of the population was known to be in sympathy with the invaders, which would effectually prevent their drawing to a head. Sir Patrick Hume was accordingly commissioned by some of his associates to impress upon the Earl the desirability of making a decisive move, which might relieve them from some, at any rate, of their present dangers, but nothing came of the attempt

[1] Hume, *Narrative*, p. 50.
[2] Erskine, *Journal*, p. 122.
[3] *Atholl Chronicles*, vol. I, p. 207.

beyond a violent altercation between the two.[1] But the pressure of circumstances shaped the military policy of the expedition, and an occurrence, which seemed the sheerest accident, led to a decision which speedily sealed the fate of the enterprise.

Charles Campbell, the Earl's second son, had fallen into disgrace on account of his conduct in Bute ; and had been despatched over into Cowall, with about a hundred men, to employ his energies in endeavouring to raise some more recruits in that district. In this undertaking he had but little success, and while he was at some distance from the boat in which he and his party had crossed from Bute to the mainland, a Captain Kenneth Mackenzie, in command of a party of Atholl's men, came suddenly upon him. A brisk encounter took place and the insurgents ran short of ammunition. The Earl's son hastened back to the boat to obtain a fresh supply, but unfortunately his men interpreted his action as a flight from danger, and imitated it without loss of time. In the pursuit several were killed and several taken prisoners. The others escaped into the Castle of Ellan-Gheirrig on an island in Loch Riddon, an offshoot northward from the Kyles of Bute, halfway through that narrow sound.[2]

This reverse, slight as it was, produced an evil impression on the Earl's followers, which could only, he thought, be removed by driving the enemy from the district, and accordingly he transported his forces at once from Rothesay to the opposite shore in Argyllshire, and took up his position near Castle Toward.[3] This action he felt himself at liberty to decide upon, as his principal colleagues had, with his consent, undertaken to effect a landing in Renfrewshire. They embarked with two hundred men in the *Sophia* and in another vessel called the *Francis*, and as Largs was occupied by a military force

[1] Erskine, *Journal*, p. 123.
[2] Hume, *Narrative*, p. 50 : *Atholl Chronicles*, vol. I, p. 223.
[3] Erskine, *Journal*, p. 124.

they sailed up the Clyde and anchored off Greenock. Before they could get a boat ashore they perceived a troop of horsemen near the water's edge. This turned out to be a company of Renfrewshire gentlemen, under the command of Lord Cochran.[1] The difficulty of effecting a landing in presence of the enemy is very considerable, and accordingly it is not surprising that one of the officers of the rebel forces objected to the attempt being made. This was Graeme Elphinston of Lapness in Orkney.[2] Macaulay speaks of his conduct as being mutinous,[3] but we imagine that it was scarcely possible to maintain discipline in a company of gentlemen-adventurers. Whatever may be the moral character of Elphinston's action, his objection to the procedure in question suggests that he had a sounder judgement in military matters than many of his colleagues. A boat containing a dozen men under Major Fullarton put off to effect a landing and was fired upon from the shore. Upon this several cannon-shot were fired from the vessels, and the defending party fell back and allowed the boat to land. A parley took place between Major Fullarton and Lord Cochran's lieutenant, John Houston, and a number of others on both sides. Houston protested against the invasion and Fullarton replied that "they were come to their native country, for the preservation of the Protestant religion, and liberties of their country, and it was pity such brave gentlemen should appear against them, in the service of a popish tyrant and usurper." Upon this Houston said that he was a liar and broke off the parley by firing his pistols into the midst of his opponents.[4] A brisk interchange of shot took place, though without casualties, except to two of the horses, and on the guns having been again fired from the ships, and more men having been landed, the troop of horse

[1] Erskine, *Journal*, p. 123.
[2] Fountainhall, *Historical Notices*, vol. II, p. 650.
[3] *History*, vol. I, chap. V : see Wodrow, *History*, vol. IV, p. 292.
[4] Wodrow, *History*, vol. IV, p. 293 : Fountainhall, *Historical Observes*, p. 168.

retired some distance from the town. Indeed it is said that some did not draw bridle until they had reached Paisley. The principal officers, with Sir John Cochran at their head, now came ashore, and, entering Greenock, they endeavoured to persuade the people to join with them "in defence of religion and liberty". Their efforts, however, met with but poor success. A few volunteers presented themselves and a few men expressed their willingness to join the insurgents, if they were formally pressed, as a measure of precaution to save their families from molestation after their departure, but not more than thirty men altogether were added to their number.[1] The Earl had instructed Cochran to get at least two hundred bolls of meal at Greenock for the use of the army, but he only got about forty. This, together with a large bark and a few small boats and the handful of the recruits already mentioned, was the whole result of an attempt from which much had been expected. The two vessels with their captures, on a false alarm of danger, sailed back the same night, and on hearing that the Earl was on the Argyllshire shore joined him there.[2]

Argyll was now more strongly resolved than ever to drive Atholl's men out of the district, and to delay proceeding to the Lowlands until this had been done; but many of his followers were strongly opposed to this plan, and commissioned Cochran and Hume to confer with him upon the matter. "The Earl", says Hume, "would gladly have shifted [i. e. evaded the consultation] but being pressed fell into a great passion."[3] Finally he asked for twenty four hours' delay and promised at the end of that time to lay his plans fully before them. On this being agreed to, he at once set off in a boat to examine the castle of Ellan-Gheirrig. When he returned he suggested that they should lodge all

[1] Erskine, *Journal*, p. 124.
[2] Wodrow, *History*, vol. IV, p. 293.
[3] *Narrative*, p. 50.

their arms and ammunition and stores within this stronghold. He pointed out that they could not remain much longer in their present condition. At any moment they might be attacked by the English frigates, which could not now be far off, and there was no likelihood that the four or five-pounder guns which they had brought from Holland would prevail against the enemy's twenty-eight and thirty-pounders. The narrow rocky passages which led to the castle in question could not, he thought, be attempted by a man-of-war, and the position and surroundings of the stronghold were such that cannon could not be directed upon it by land. He requested his colleagues to visit the place, and he said that if it should be found unsuitable for the purpose, their vessels might pass through the Kyles of Bute, and either seek some other place in which to store their arms and ammunition, or make for a port in the Lowlands. Sir John Cochran after his experience at Greenock was inclined to support the Earl's scheme. Indeed he now roundly declared that it would be a folly to attempt the Lowlands at present, as they were everywhere guarded by soldiers and militia. [1]

This agreement of two out of three of the inner council of the insurgents virtually settled matters in Argyll's favour. Some of their associates were inclined to seize one or two of the ships and attempt to carry out their own plans, but Sir Patrick Hume dissuaded them from doing so. He pointed out to them that such conduct would be dishonourable, and that, if they failed in carrying through any such separate enterprise, they would be charged with the blame of wrecking the whole scheme. Matters went so far as to allow discussion of the question as to whether the sailors would join with the mutineers or not. It was thought that they would, but as a set-off to this it was noticed that the Earl had stationed a company of Highlanders on board of every ship, so that it was absolutely certain that an

[1] Hume, *Narrative*, pp. 50, 51 : Fountainhall, *Historical Observes*, p. 168.

attempt to seize any of them would be resisted by force. These considerations, together with the fact that as much could be said in favour of the Earl's proposal as in that of any rival suggestion, reduced the murmurers to a sullen acquiescence in it. Some of the Lowlanders whose zeal for the cause was strong may have been still sanguine or credulous enough to believe in the ultimate success of their enterprise ; but their Highland comrades were fast becoming sceptical as to any such happy result, and at this critical juncture a hundred of them made their escape and got rid of their new guns by selling them for a shilling apiece.[1]

The ships accordingly sailed up the Kyles of Bute in order to examine the Castle of Ellan-Gheirrig. This was a small fortalice of which only a few stones of one wall are now visible some three feet above ground. It stood on a rocky islet, of about an acre in extent a short way up Loch Riddon, and was the property of Sir Neil Campbell, one of the numerous scions of the House of which the Earl of Argyll was the head.[2] The latter proposed, as we have said, to utilize this Castle for keeping their stores and ammunition.

His full plan was to strengthen it by building an earthen fort and arming it with the ships' guns, and to station the ships themselves out of danger in the Loch north of the island. He was quite sure that the frigates would not be able to get up as far as the Castle, as the passages were almost too narrow for their own smaller ships. He had the fancy that the four and five-pounder guns from the fort would be able to cut the shrouds and tackling of the men-of-war, before they could get near enough the fort to batter it with their heavier guns. His confidence was not shared by all his associates, and, indeed, the seamen declared that the frigates, if carefully piloted, could make their way through the narrow sound—an

[1] Hume, *Narrative*, p. 51 : Erskine, *Journal*, p. 125.

[2] This island is now called Eilean Dearg and One Tree Island from an ash-tree growing upon it.

opinion which was afterwards found to be correct. But very soon the choice between occupying the Castle or sailing away to some Lowland port was forcibly decided; for the English frigates, the *Kingfisher*, the *Falcon*, and the *Mermaid*, along with a yacht, the *Charlotte*, entered the Kyles of Bute and blocked up the exit from Ellan-Gheirrig.[1]

In the meantime on June 6th, Dr. Blackader and William Spence had been brought as prisoners from Orkney to Edinburgh by sea.[2] On their landing at Leith they were conducted by a detachment of soldiers to be examined before the Privy Council. Blackader's sister was among the crowd that followed the prisoners. She was anxious to be of some service to her brother, but was unable to get near enough to speak to him. Whenever she attempted to do so the soldiers drove her back with their muskets. At last he caught sight of her and recognised her. She noticed that he looked at her very fixedly, and then pointed several times to his hat in a significant manner. With the quickness of a woman's wit she perceived that her brother was giving her some signal of warning. She at once hastened to Edinburgh to the private lodgings whither his luggage had been sent, and found amongst it a hat in the lining of which there were papers. Had these been discovered they would probably have sealed his fate and that of several others. She at once destroyed them, and thus by her cleverness and promptness averted the danger. A party of soldiers almost immediately afterwards entered the house to search for papers, but found nothing of a suspicious character. Both Blackader and Spence were closely imprisoned in separate cells and subjected to cross-examination, but revealed nothing of any consequence.[3] Blackader managed to smuggle out a letter which was

[1] Hume, *Narrative*, p. 52 : Wodrow, *History*, vol. IV, p. 293.

[2] Fountainhall, *Historical Observes*, p. 167 : *Diary of Thomas Brown* p. 35. The latter records that they were conveyed in a Skipper Bytter's ship.

[3] Crichton, *Life of Col. Blackader*, p. 29 : *Memoirs of Rev. T. Blackader*, p. 324.

forwarded to Holland to his friend the Pensionary Fagel, who interfered on his behalf as he was a naturalized Dutch subject. The result was that he was saved from torture, and, finally, after more than a year's imprisonment, he was set at liberty. Spence was condemned to death but was respited and seems to have remained in prison until the Revolution. [1]

It is probable that, in the unfortunate state of his affairs, the Earl of Argyll endeavoured to raise the hopes of his associates by sanguine conjectures as to Monmouth's success in invading England. In a quarter unfriendly to him the statement is made that he went so far as to announce to his followers that he had received a letter from the Duke, in which he said that he was in arms in England and had been victorious. [2] Sir Patrick Hume, whose narrative of the expedition is very minute, makes no mention of this having occurred. It is quite possible that Argyll received a letter from some quarter containing some such assertions concerning Monmouth, and that he hastily credited them and communicated them to his followers. Yet even if it were true that he fabricated such tidings, the desperate circumstances in which he was placed would, we suppose, be allowed by even the sternest moralists to afford some palliation of his guilt.

The insurgents, though now cut off from the sea, could operate to the northwards on land. While the ships were being unloaded and the fort completed, Argyll divided his army and sent Colonel Rumbold with the horse and a Major Henderson with three hundred foot to hold Glendaruel, which runs down to Loch Riddon, and by which Atholl's forces might have assailed him. Rumbold pushed on vigorously and took possession of the Castle of Ardkinglass on Loch Fyne opposite to Inveraray. Upon this about 500 of Atholl's men came round from Inveraray by the head of Loch Fyne and

[1] Wodrow, *History*, vol. IV, pp. 313, 320.
[2] Fountainhall, *Historical Observes*, p. 176.

hindered any further progress. Some desultory fighting ensued in which the insurgents acquitted themselves well, but could not force their opponents to come to close quarters. The plan of the enemy was to avoid an engagement and thus to gain time. Argyll would willingly have flung his twelve hundred men upon the enemy's forces, which were now reported to be five thousand, and have endeavoured to drive them out of Inveraray, but the volunteers from Holland were resolutely determined not to stake the fate of their enterprise upon this attempt.[1] Had Atholl's men stood their ground and an actual battle been begun they would not have refused to take part in it, but since there was no prospect of this they still preferred to make their way to the Lowlands in accordance with their original plan. Argyll was therefore helplessly entangled : a portion of his army had to be left to hold the castle, another portion of it was averse to carrying out his orders, and the enemy eluded him as he advanced and hung upon him as he retired. Indeed it seemed at one time likely that the insurgents might have come to blows among themselves ; for Argyll, in view of the possible secession during his absence of those who objected to be led against Inveraray, gave orders to the commander of the Castle that such persons were to be disarmed before leaving. But, fortunately, the contingency did not arise, and the fact that such an order had been given did not transpire until all the forces had been brought together again in the glen at the head of Loch Riddon. Probably, the seriousness of the situation in which they all were, hindered those who might feel especially aggrieved by such an order from making it the ground of an open quarrel.[2]

[1] Hume, *Narrative*, pp. 53, 54 : Wodrow, *History*, vol. IV, p. 294 : *Chronicles of Atholl*, vol. I, p. 251.
[2] Hume, *Narrative*, p. 54.

CHAPTER XX.

Resolution to march to the Lowlands—Garrison left in the Castle—The Castle abandoned—Divided counsels—Journey by the Gareloch and Kilmaronock—Meeting with Royal forces—Rebels desert in large numbers—Flight by night to Kilpatrick—Argyll arrested at Inchinnan—Brought into Edinburgh—Fate of other insurgent leaders—Argyll threatened with torture but not tortured.

And now for the third time in the history of this brief campaign the failure of provisions compelled the insurgents to form and execute some definite plan. Argyll, whose office as general in command was almost a nullity, was in despair. At one time he proposed that the scheme of an invasion of the Lowlands by a section of the army should be carried out, and that with the best horses at their command and with a full supply of arms and ammunition, those undertaking the expedition should make their way round by the head of Loch Long ; but in less than half an hour after this had been agreed to he declared that the whole of the forces must keep together. Then he suggested that he would take the ships and try to force a passage out into the Kyles of Bute and so away into the open sea, and he spoke of the mass of his men stealing past in boats while the larger vessels were in conflict with the enemy. But this scheme was condemned by the seamen as the suggestion of mere frenzy ; they had no guns, they said, which could injure the enemy's ships, nor apparatus for boarding them, nor men capable of such desperate fighting, while each boat

of theirs could easily be sunk by the enemy in the narrow sound. As, however, they were obliged to leave the place where they were, it was resolved that they should march to the Lowlands. By this time the Highland section of the army had been considerably reduced by desertion. Argyll's mortification at this state of matters was intense, and he was very eager to attempt to raise a fresh body of men, though it was a serious question, indeed, as to where food for those whom he had was to be obtained. [1]

Before the army marched away a garrison was left in the fort, under the command of the Graeme Elphinston of whom we have already heard. [2] The seamen were persuaded, though with difficulty, to remain by the ships, and they were instructed to sink them and take refuge in the Castle, if the frigates succeeded in getting up Loch Riddon and seemed likely to be able to pass the Castle and assail them. [3] The day on which Argyll departed from Ellan-Gheirrig was the 11th of June, and on that very day Monmouth landed at Lyme in Dorsetshire to begin his brief and disastrous campaign. His coming was, however, too late to affect the course of events in Scotland. For three days after leaving the Castle and ships Argyll lingered in Glendaruel, contrary to the advice of his colleagues, in the vain hope of raising more men, while in spite of all precautions desertions proceeded apace. As the army were in straits for food and could only provide for themselves by plundering the surrounding country, they could not reasonably expect recruits to join them. Only about five hundred Highlanders remained in the army, instead of the three thousand on whom Argyll had counted and of whom he had spoken when in Amsterdam. The Lowlanders from Kintyre and the volunteers from Holland made up some seven hundred more, and virtually these last were all on whom

[1] Hume, *Narrative*, p. 55.
[2] Wodrow, *History*, vol. IV, p. 294.
[3] *Ibid*, p. 294 : *Chronicles of Atholl*, vol. I, p. 237 : Hume, *Narrative*, p. 55.

reliance could be placed. Argyll was, we are told, "inexpressibly damped and discouraged", but Hume and Cochran did all in their power to hearten him by speaking of the sterling qualities of many of their men, and urged a rapid march to the Lowlands as a matter of life or death. [1]

They proceeded to the head of Loch Striven in a day's march and on the following day they came to Loch Long. This arm of the sea they crossed with difficulty in boats from Ardentinny, and they lay on the east side of the loch all night. Next morning they were overtaken by all the men whom they had left as a garrison in the fort and Castle at Ellan-Gheirrig and in the ships. The report brought by them was that the frigates had got close up to the Castle, and as their guns could easily batter down both it and the fort, resistance was out of the question. Their flight had been hastened by a rumour that Atholl was only three miles away with an army of three thousand men. They had omitted to sink the ships, as ordered, and an attempt they had made to blow up the Castle by firing a train of gunpowder had failed. The prisoners from Orkney, who had been left in the Castle had communicated with the captains of the frigates by means of a white flag, and the latter had sent some boats' crews ashore, who discovered the train and foiled the attempt. Without firing a shot the garrison had left the hostages, five thousand stand of arms, three hundred barrels of gunpowder and their principal standard in the hands of the enemy. [2] The calamity overwhelmed the insurgent forces with amazement and distress, and forbade all hope of the present victory of their cause. No attempt was made to hinder or delay pursuit by the enemy, though the country through which the rebels had passed was one affording abundant facilities for doing so at no great risk on their part. It is, indeed, extraordinary,

[1] Hume, *Narrative*, p. 56.
[2] Wodrow, *History*, vol. IV, p. 294 : *London Gazette*, no. 2044 : *Chronicles of Atholl*, vol. I, p. 239.

when one considers Argyll's military reputation, the resolute character of many of his supporters, and the ease with which many positions in the country through which they had passed might have been defended against the King's troops, that this invasion of Scotland was attended with so little actual fighting.[1] It is only by courtesy that the operations carried on could be designated a campaign : and but little in the way of military glory could have been connected with the ceremony of presenting to James II the rebel standard captured at Ellan-Gheirrig.[2]

The point on the east side of Loch Long to which the rebel army had crossed was near the place now known as Coulport. Argyll and his Highland forces marched on about two miles to the head of the Gareloch, with the intention of proceeding along the northern shore of that arm of the sea on their way to Glasgow. Many of the others were inclined to sail down Loch Long into the open sea and thence to some place in the Lowlands, but, on receiving a summons from their General to confer with him, they proceeded to his quarters. The position of matters was that the insurgents were between two fires : Atholl and Huntly were on their track, while the Earl of Dumbarton, Commander-in-Chief of the royal forces in Scotland, was waiting for them somewhere near Glasgow with an army of regulars and of militia. Argyll, however, had no intention of asking advice in the present crisis. His fixed purpose was to proceed towards Glasgow, which was at present guarded by a single regiment of militia, and, if possible, to avoid an encounter with the enemy's forces before arriving there. By so doing they would obtain both provisions and a breathing-space, and probably some support from the section of the population in the city and neighbourhood which was friendly to their cause.[3] Yet he was quite prepared to engage in a

[1] Chronicles of Atholl, vol. I, p. 240.
[2] Fountainhall, *Historical Observes*, p. 177.
[3] *Ibid*, p. 179.

pitched battle wherever he found the enemy. Further action could be determined upon afterwards in accordance with circumstances. Sir Patrick Hume vehemently protested against this scheme. He declared that after the losses they had sustained, by which their men had been utterly disheartened it would be madness to attack regular forces. He suggested that they should divide their army into three parts. The first of these including Argyll and his Highlanders should, he thought, return to Argyllshire by the pass of Glen Croe at the head of Loch Long. Here his Highlanders would fight, if anywhere, and indeed it would be possible for them to elude their enemies and to raise a fresh army in their own territories. Atholl had now moved out of Inveraray and they might resume possession of it. In the meantime the Lowlanders and those who had come from Holland might be divided into two companies and proceed in boats down Loch Long and down the Gareloch respectively, and land in some parts of Scotland where at present there were no forces and where they might obtain recruits. In this way they would have three chances of success, instead of risking everything upon one battle as Argyll was prepared to do.[1]

Nothing that Hume could say had any effect. The Earl remained firm and immovable in his resolution, and said that any who did not wish to accompany him might do as they pleased. No words could show more clearly than these the absence of discipline in the army, if such it may be called, which was now drifting along to its final dispersion. For a little time the members of which it was composed held together, no doubt for prudential considerations ; for, as the country was now thoroughly roused and their movements were being closely observed, their breaking up into small parties would certainly have brought down instant destruction upon them. On Tuesday, June 16th, they marched along the shores of the Gareloch and that same night crossed the river

[1] Hume, *Narrative*, pp. 56-58.

Leven three miles above Dumbarton and encamped on its eastern bank. Early next morning they resumed their march. About seven o'clock they noticed a large party of horse on a hill-top near them. They themselves were equally under observation, and a small detachment of what were apparently the enemy's forces descended and drew near to them. On some of the rebel horse advancing towards them they fell back upon their main body. As it was thought possible that these horsemen were the foreguard of the whole army, the insurgents drew up in line of battle and for a full hour stood to their arms.[1] Their scouts, however, relieved their minds by bringing them word that these were not the regular troops, but a single company of gentry and militia. They felt quite able to cope with militia, especially as these were reported to them as being to a large extent lukewarm in their loyalty to the Government.[2] Nor is there any reason to believe that this report was altogether unfounded. The militia, being a levy of the inhabitants of the district capable of bearing arms, contained many whose sympathies were to a great extent with the insurgents rather than with those whose misrule had provoked the rising.

The Earl evidently received some intelligence which led him to abandon the direct road to Glasgow. Under his orders the army marched northwards to Kilmaronock, where they arrived weary and hungry about 10 a.m. Here they had a good meal and rested for about four hours. They then resumed their march on the highroad that led from Dumbarton to Stirling. The purpose of this movement was carefully concealed from Hume and his company, who were under the impression that for some reason or another a circuitous route to Glasgow had been chosen.[3] After about an hour's march their

[1] Hume, *Narrative*, p. 59.
[2] Wodrow, *History*, vol. IV, p. 294 : Erskine, *Journal*, p. 124 : Fountainhall, *Historical Observes*, p. 168.
[3] Hume, *Narrative*, p. 59.

vanguard descried a section of the enemy's army within half a mile's distance, proceeding along the highroad near Killearn. The Earl and Sir John Cochran were convinced that they might deliver an attack very advantageously to themselves.[1] At the present moment the enemy were unprepared for an assault, as neither General, nor ammunition had come up. It was evidently a report as to the proximity of these forces and the feasibility of attacking them that had led to the sudden change in the line of march. The Earl was strongly supported in his proposal by Cochran and Ayloff, who thought it would be inexcusable to let the present advantage slip, even although the forces of the enemy were treble their own. The defeat of the royal army would, they declared, lead the whole country to rally round them. Hume pointed out that their men now only numbered nine hundred, and that of these not more than five hundred could be counted upon for such a desperate encounter as that proposed. They were weary, and disheartened, and rapidly melting away by desertion, and utterly unfit to attack regular troops. He also reminded his colleagues that even if this section of the enemy's forces were defeated, the rest of their army would soon bear down upon them. He therefore recommended that they should strengthen their rear-guard and pursue their way to Glasgow, and that they should not fight unless they were forced to do so. The attack Argyll proposed was a forlorn hope, the advance upon Glasgow with a strong army upon their rear was almost as dangerous a project; but the disputes of the leaders in presence of the enemy, involved certain destruction. A sudden surprise of the royal troops while they were in motion might have repeated the astounding victory of Montrose at Kilsyth, or of Cromwell at Dunbar; but, in order that such a manœuvre might have a chance of success, it needed to be instantaneously and boldly carried out. The long and hot debate consumed the time in which it might

[1] Fountainhall, *Historical Observes*, p. 179: Fox, *James II*, p. 19.

have been accomplished. When at length the insurgents were drawn up in view of the enemy by whom apparently their presence had been unobserved until now, and perceived that regulars and militia were on the field in large numbers the idea of attacking them passed away. "Our men", says Hume, "saw nothing but death : yet truly the Lowlanders, except a few persons who slipt off and escaped, and some of the Highlanders, shewed abundance of resolution." [1] Rumbold used his influence to bring his brother-officers to agreement and a night-attack was spoken of ; but in the circumstances this most difficult and hazardous operation was utterly out of the question.

Argyll's nerves were now thoroughly shaken and he seems to have been merely a helpless and stupified spectator, when the ill-advised rebellion, in which he had played so prominent a part, heavily vanished from the stage with a "strange, hollow, and confused noise." It was pointed out to him that the ground on which his men were stationed was ill-chosen and that a better situation was near at hand ; but, beyond sanctioning the change, he gave no words of command, and his men straggled to their new position and took their places huddled together in broken, disorderly lines. [2] Until evening they stood to their arms, but the enemy made no sign of attacking them ; and so both parties lit camp-fires and made preparations for spending the night where they were, not far from Duntreath Castle. [3] Some of the insurgents thought from time to time that they saw the enemy marching towards them in the darkness, and filled the camp with false alarms, but these imaginary evils were soon succeeded by real disasters. [4]

As soon as the watch-fires were lit word was passed round that all the forces must march off quickly and

[1] Hume, *Narrative*, p. 62.
[2] *Ibid*, p. 63 : Foxcroft, *Supplement to Burnet*, p. 158.
[3] Shields, *A Hind let Loose*, p. 163. (ed. 1744).
[4] Hume, *Narrative*, p. 62 : Wodrow, *History*, vol. IV, p. 294.

silently to Glasgow, a distance of some eleven or twelve miles, and the men were told that guides would lead them safely through a rough and marshy country, over which it would be difficult for the enemy to pursue them. Fuel was heaped upon the fires to keep them burning through the night and thus to conceal as long as possible the fact of retreat. The insurgent forces marched off as silently as they could and in some show of order, but after they had gone a mile or so in the darkness it was discovered that the guides, either through error or treachery were misleading them, and that they were on the way to Kilpatrick, a village on the Clyde, ten miles below Glasgow. A panic at once set in and Lowlanders and Highlanders rushed forward indiscriminately, and trod each other down in the confusion caused by their excitement and fear, and by the rough and almost impassable country across which they were making their way. Argyll endeavoured to call a halt from his position in the rear and he sent off Rumbold to stop those who were in the van. But it was all in vain. No one attended to the orders which either of them gave. During that night-march their numbers were reduced from nine hundred to five hundred, and very speedily even these broken relics of an army were scattered in all directions. Though all were faint and hungry and weary, some felt it was necessary to arrange what was next to be done, and as their aim was to get down into Ayrshire and join those who were friendly to their cause, they seized the boats which they found at Kilpatrick and began at once to cross to the opposite bank of the Clyde. About one hundred and fifty men crossed the river and dispersed a troop of militia horse which had been drawn up to oppose them, but the rest of their comrades fled in various other directions. [1]

At one of the houses, probably an inn, in Kilpatrick

[1] McCrie, *Memoirs of Veitch, etc.*, p. 322 : Erskine, *Journal*, p. 129 : Hume gives the number as one hundred and thirty, but Brysson and the authorities quoted by Wodrow give it as one hundred and fifty.

Argyll and Sir John Cochran had their last interview. The Earl was deeply agitated and was scarcely able to speak. At last after a pause he said: "Sir John, pray advise me what I shall do. Shall I go over Clyde with you, or shall I go to my own country?" Cochran replied: "My Lord, I have told you my opinion: you have some Highlanders here, about you: it is best you go to your own country with them, for it is to no purpose for you to go over Clyde. My Lord, fare you well." [1] The Earl, accompanied by only four others, his son, John, Sir Duncan Campbell, who was married to his step-daughter Henrietta, Major Fullarton and a Captain Duncanson, rode away from Kilpatrick in the direction of Glasgow. After going for about a mile they thought it wiser to separate. Sir Duncan Campbell and the Captain undertook to attempt to get into Argyllshire and raise a new levy of men, and the Earl, with his son and Major Fullarton, proposed to take refuge in the house of one who had been a servant of his for some years, who lived at no great distance from where they were. But Argyll was now too dangerous a guest, and, on presenting himself at the dwelling where he had hoped to find shelter, he was peremptorily refused admittance. [2]

With the intention apparently of going down into Ayrshire or Galloway [3] to obtain concealment or protection among some of the Western Whigs, he turned southwards and crossed the Clyde. Before doing so, however, he took the precaution of exchanging clothes with a peasant, and of assuming the character of a country-man who was acting as a guide to Major Fullarton. He laid aside his sword as incongruous with the disguise which he had assumed, but he retained in his pockets three loaded pistols and a purse containing one hundred and thirty guineas. We can the more easily realise to ourselves the figure he cut in this rustic garb, if we keep in mind

[1] Hume, *Narrative*, p. 64.
[2] Wodrow, *History* vol. IV, p. 297.
[3] Fountainhall, *Historical Observes*, p. 180.

that he was of diminutive stature, that he wore a blue bonnet as part of a peasant's dress, and that since his escape from Edinburgh Castle in 1681 he had allowed his beard to grow.[1] At Inchinnan the fugitives attempted to cross the ford but were stopped by a party of armed men. Fullarton entered into conversation with them while Argyll went further up the water side, and he endeavoured at first with off-hand pleasantness of manner and afterwards by assuming an air of authority to make his way past them, or at any rate to occupy their attention until the Earl had got safely off. In the meantime Argyll was accosted by two militia men on horseback, who called on him to give up his horse —probably a Highland pony—to carry their luggage. Argyll answered them civilly but he refused to do as they desired, and accordingly a struggle took place between them in which they attacked him, one on each side. He grappled with them both and fell from his horse dragging one of his antagonists to the ground. On rising he took out his pistols, and the two men rode off. Had he remounted his horse he might have crossed the river without further molestation, but he very imprudently decided to leave his horse and to cross the river on foot. A country-man, who had observed what had passed, ran to the commander of the party with whom Fullarton was still parleying, and told him that the supposed guide was certainly some man of consequence in disguise, who was very anxious to effect his escape, as he had let go his horse and was about to cross the river on foot. Major Fullarton interposed and protested against his guide being interfered with, and generously offered to surrender himself as a prisoner on condition that Argyll was allowed to cross the river unmolested. The suspicions of the officer were at once confirmed by this proposal. He pretended to acquiesce in it, but when the Major was disarmed he ordered two of his men to proceed up the river and arrest the

[1] Fountainhall, *Historical Observes*, p. 181.

Capture of the Earl of Argyll. *(Contemporary Dutch engraving.)*

supposed guide. Fullarton broke into a storm of angry reproaches at this treachery and, seizing a sword from one of the party, prepared to defend himself. He was, however, soon overpowered and taken prisoner. The two men, who had been dispatched to secure Argyll, came to him while he was still in the water and fired upon him, but without wounding him. The noise drew the attention of those in a cottage hard by ; and three men, one of them a weaver named John Riddell who lived there, came out and joined the soldiers. On Argyll's coming out of the water an altercation took place. The weaver, who was drunk, and who had brought a broadsword out of the cottage with him, persisted in holding Argyll as his prisoner. The Earl offered him money which he refused, and then he drew his pistol and endeavoured to fire it at his antagonist : but the water had wet the powder and it would not ignite. On this the weaver struck him a violent blow upon the head with his broadsword and he fell into the water. As he fell he uttered some out-cry which revealed to his captors the fact that the unfortunate Argyll was in their hands.[1]

The exact place of the occurrence is about a mile from Renfrew, at a ford across the united streams of the Black and White Carts which fall into the Clyde. It is marked by two ancient stones associated with the name of St. Conval, who is supposed to have introduced Christianity into this region at the beginning of the 9th Century of our Era, and whose church afterwards stood close by. One of these is an oblong block of sandstone, three feet and a half high, which was once the base of a Celtic Cross erected in honour of the saint and formerly called "St. Conallie's Stone". From the time of the Earl's capture it has been known as "the Argyll Stone".[2]

[1] *London Gazette*, No. 2045, June, 22nd-25th., 1685 : Wodrow, *History*, vol IV, p. 297 : Fountainhall, *Historical Observes*, p. 181 : Reresby, *Memoirs*, p. 335. The weaver received £50 Sterling as a reward *(Exchequer Papers*, Register Ho., Edinburgh). It is said to this day the name Riddell is abhorred by the Clan Campbell (Frazer, *Sutherland Book*).

[2] McClelland, *The Church and Parish of Inchinnan*, p. 42.

"As soon as they knew who I was," says the Earl, "they seemed to be much troubled, but durst not let me go."[1] The awe and regret which fallen greatness excites in any generous mind are sufficient to account for this revulsion of feeling, and doubtless in the present case there was added to them a certain measure of sympathy with the cause which he represented. But the terror inspired by the agents of the despotic Government, which had afflicted Scotland for so many years past, was too great to allow them to set their prisoner at liberty. The matter, however, was soon taken out of their hands. A party of militia commanded by Sir John Shaw, Laird of Greenock, came up and bound him prisoner and took him off to the Earl of Dumbarton, who was at Glasgow. Shaw was one of the type of men described by Bunyan under the name of *Mr Facing-both-ways*. For several years he had been concerned in all the plotting of Covenanters against the Government, and had, as one of them says, "spoken afar off of his good wishes", but he had carefully avoided any actual co-operation with the insurgents.[2] Such a man was likely, now that the insurrection had failed, to manifest his loyalty to the existing order of things by his harshness to rebels who might fall into his hands. The mere fact, that a person of this stamp had judged it prudent to prepare for all emergencies by keeping up for a time friendly relations with the disaffected party, shows how strong they were in the country.

The Earl was taken, first of all, to Renfrew on his way to Glasgow. He was very downcast on his apprehension, but after a night's rest he recovered resolution and composure of manner. The Earl of Dumbarton, Commander-in-Chief of the Royal forces in Scotland, who was a Roman Catholic, had an interview with him and a few words of good-natured banter passed between them.[3] Here while he was partaking of some food he was

[1] Wodrow, *History*, vol. IV, p. 297.
[2] Erskine, *Journal*, p. 124.
[3] Fountainhall, *Historical Observes*, p. 182.

allowed to exchange a few words with a friend, a Thomas Crawford, of Crawfordsburn, to whom before parting he gave his silver snuff-box as a token of affection. His words reveal a strain of enthusiasm in his character, which now imparted to him a serenity of spirit that raised him above all fear of death. To his friend he said: "Thomas, it hath pleased providence to frown on my attempt: but remember, I tell you, ere long one shall take up this quarrel whose shoes I am not worthy to bear, who will not miscarry in His undertaking."[1]

This identification of the cause of God with that of a political party was regrettable. The error involved in it was a cardinal defect of the whole Covenanting movement, and the same error has unfortunately been repeated by many who have written sympathetically of it. Yet surely it is possible to form a more just view of matters than that of those who canonize the Convenanters indiscriminately, and that of those who detest them and sneer at them. The one class forget perhaps that every person who rebels against a Government, however tyrannical, stakes his life in the quarrel and has no adequate cause of complaint if he fails in his attempt and is condemned to die: while the other should remember that a Government may become so corrupt and oppressive that a generous heart will instinctively incline to sympathize with those who seek to overthrow it. A tinge of fanaticism may seem to animate the utterance of Argyll which we have quoted above, and his words of prophecy may almost seem to betray a disordered mind. We can freely admit this and yet deny that our respect for him and for the cause he represented is diminished. "'Oppression makes wise men mad': but the distemper," says Burke, "is still the madness of the wise, which is better than the sobriety of fools. The cry is the voice of sacred misery, exalted not into wild raving, but into the sanctified phrenzy of prophecy and inspiration."[2] During

[1] Wodrow, *History*, vol. IV, p. 299.
[2] *Letters on a Regicide Peace*, Works (Bohn), vol. V, p. 222.

the nineteenth century great sympathy was expressed throughout the civilized world with all who resisted despotism, and the heroic struggles of Greeks, Poles, Italians, Circassians, Hungarians, Servians, and Bulgarians, all won admiration from those who valued liberty. We fail to see why the labours and sufferings of those in our own country who fought the same battle in the seventeenth century should not win an equal meed of praise.

James II had complained to the Dutch ambassador that Argyll had been allowed to fit out his expedition by the connivance of the authorities in Holland. On this being communicated to the latter they expressed some measure of regret, and proposed to publish an edict forbidding the export of arms for three months, in order to prevent his obtaining any further assistance. But the suppression of the revolt rendered this action unnecessary. The Prince of Orange, on receiving a letter from his father-in-law asking for the three Scotch regiments in the Dutch service to be sent home to be employed in putting down the rebellion, shipped them at once for Scotland. But when Argyll was taken, the Privy Council despatched a vessel to meet the transports and inform them that they might return. This message reached them when they were off St. Abb's Head.[1]

On the same day on which Argyll was made prisoner (June 18th) Sir John Cochran and about seventy men, who were all that were left together of the insurgent forces, after passing the Clyde engaged in a fierce skirmish with the enemy at Muirdyke. This was a place to the east of Lochwinnoch in Renfrewshire and about twelve miles from Kilpatrick as the crow flies. The small handful of rebels succeeded in keeping their opponents at bay until night fell and then they dispersed.[2] The majority of them were fortunate enough to find

[1] Fountainhall, *Historical Observes*, p. 176.
[2] *Ibid*, p. 179 : Wodrow, *History*, vol. IV, p. 296: McCrie, *Memoirs of Veitch, etc.*, p. 325 : Hume, *Narrative*, p. 65.

Satire on Monmouth's expedition.

refuge among political sympathisers and friends. Sir Patrick Hume effected his escape to Holland,[1] and survived to become Earl of Marchmont and Lord Chancellor of Scotland after the Revolution. Ten days after the skirmish at Muirdyke Cochran was betrayed to the authorities,[2] but his life, though doubly forfeited on account of his share in the Rye-House Plot and in this rebellion, was spared in consequence of a ransom of £5,000 Sterling being paid by his father, Lord Dundonald, to some of the priests about the Court. In order to afford a pretext for remitting the death penalty he was taken to London, where he had an interview with James II, in which it was alleged that he had revealed secrets of importance. Ayloff and Rumbold were also apprehended. The former stabbed himself in his prison in Glasgow, but not fatally ; and he was also brought to London to be interrogated concerning the rebellion in which he had figured. The King in vain tried to elicit information from him, and on reminding the prisoner that it was in his power to pardon he received the sullen reply : " It is in your power but not in your nature to pardon ".[3] Curiously enough, as we have already said, the rebel was a connexion of James's own, as his aunt was the first wife of the old Earl of Clarendon, the King's father-in-law ; but this fact did not save him from the block. Rumbold who was apprehended at Lesmahagow on his way towards England was brought into Glasgow severely wounded. The Burgh Records of that city tell us that he was lodged in the Tolbooth there along with Argyll and other prisoners taken in connexion with this rising, and that it was found necessary to afford them medical aid.[4] Rumbold was

[1] Wodrow, *History*, vol. IV, p. 312.

[2] Fox, *James II*, p. CXIV, Barillon to Louis : Fountainhall, *Historical Observes*, p. 197.

[3] Burnet, *History of My Own Times*, vol. I, p. 634.

[4] " Ordains the thesaurer to pay to John Hall elder the soum of fifty fyve pounds two shilling Scotis for dressing the late Argyle, Rumbold, Mr. Thomas Archer, Mr. Lockhart, and ane poor Dutchman the tyme they wer prisoneris

afterwards taken into Edinburgh and met death there at the hands of the executioner with great resolution.[1] He should live in the Pantheon of History, to use Danton's phrase, not only because of his deeds but also because of the famous epigram in which shortly before his death he summed up his Republican principles. " He said ", Burnet tells us, " he did not believe God had made the greater part of mankind with saddles on their backs and bridles in their mouths and some few booted and spurred to ride the rest. "[2]

The Earl's son, John, managed to escape at the time his father was arrested, but two or three weeks later he was captured and was imprisoned at Stirling.[3] His brother, Charles, had been taken ill with fever during his campaigning in Argyllshire, and had fallen into the hands of Atholl's troops, some of whom wished to hang him in front of his father's castle at Inveraray.[4] This atrocity, however, was prevented by his being delivered over to the civil authorities and brought to Edinburgh. The charge was brought against the Marquess of Atholl of having shown vindictiveness in this matter, but there seems clear proof that he saved the Earl's son from summary execution, and persuaded the Privy Council to mitigate their rage against him. A letter written by Charles Campbell to the Marquess, while still in risk of his life for his share in the rebellion, acknowledges the latter's kindness and generosity in the time of his extremity.[5]

Sir Duncan Campbell and his associate must have speedily concluded that any attempt to raise fresh troops

in the tolbooth being all wounded and for furnishing drogs to them conform to the compt therof : " *Records of the Burgh of Glasgow*, 1663-90, pp. 375-6. We are indebted for this extract to Robert Renwick, Esq., Town Clerk Depute, Glasgow.

[1] Fountainhall, *Historical Notices*, vol. II, p. 650 : Wodrow, *History*, vol. IV, p. 315.

[2] *History of My Own Times*, vol. I, p. 634.

[3] Erskine, *Journal*, p. 141.

[4] *Depredations in Argyll*, 1685-6, p. 118.

[5] *Vindication of the Marquess of Atholl*, p. 3 : Wodrow, *History*, vol. IV, p. 230.

Satire on Monmouth's expedition.

was at present hopeless, if, indeed, they seriously entertained the idea for a moment; for they rode eastward to Edinburgh with the view of escaping to the continent. On the evening of the day when Argyll was brought into the capital they were recognised as they alighted in the Canongate, but they managed to elude arrest in spite of a careful search for them which was at once instituted.[1] Sir Duncan's wife, Lady Henrietta Campbell, who was Argyll's step-daughter, had been left at Stirling by her husband, when the rebellion had broken out and he had gone into Argyllshire to support the head of his clan with all the men he could raise. Her mother and sister had, as we have told, been imprisoned shortly after the invaders had reached the Western Islands, so that she was left in a state of great perplexity and distress when the insurrection came to its disastrous close. She left her son, a child of some six years of age in the care of a nurse and set out in deep disguise from Stirling to gain some news of her husband and her step-father. She was quite alone and alternately rode on horseback and walked leading her horse. When some miles on her journey she unexpectedly met the Earl of Argyll near Falkirk on his way to Edinburgh as a prisoner. He was in the coach of Lord Dundonald, the father of Sir John Cochran.[2] "This" she says "was a mournful sight to one who bore him so great affection [as I did]."[3] He did not recognise her, but she did not venture to address him. She kept near the sad procession as long as she could, but at length her horse failed and she was left far behind. The next day on reaching Edinburgh she was relieved from some of her anxiety by hearing that her husband had not been captured. Some weeks later he left the country and took refuge in Holland, whence he returned with William of Orange, in the expedition which successfully accomplished the task that had been

[1] Fountainhall, *Historical Observes*, p. 185.
[2] *Ibid*, p. 180.
[3] Lindsay, *Life of Lady Anna Mackenzie*, p. 127.

too great for the hands of Argyll and Monmouth.[1]

On Saturday, June 20th, exactly seven weeks after the exiles had left the shores of Holland, their leader was brought captive into Edinburgh. On hearing of his arrest the Privy Council had consulted with regard to the manner in which he should be conducted through the city. Various proposals were made, but ultimately it was decided that he should be conducted through the streets bare-headed, with his hands tied behind his back, that the hangman should walk before him, and that mounted guards should precede and follow him. In case of an attempt at rescue being made, the soldiers were ordered to have their pieces loaded and their matches lighted.[2] When Argyll reached the Water Gate, he was received by Captain Graham who gave him the option of walking or riding in a cart as Montrose had done. He replied that he was not very strong for walking, but that he would sooner walk than ride, as he had no liking for that kind of coach or coachman—the latter being of course the hangman. He was thought to show but little concern at the ignominy with which he was treated, though, when his hands were tied behind him and he was fastened by a rope round his waist to his loathsome attendant, he was seen to change colour.[3] In this manner did the Earl enter the city and pass up the Canongate to the Castle along that very street through which he had walked four years before carrying the royal crown at the opening of the Parliament.[4] As, however, he did not arrive in Edinburgh until ten o'clock at night the open shame to which he was put was less widely witnessed than otherwise it might have been.[5] He was imprisoned in the Castle and was heavily ironed, to guard against danger of his escaping a second time

[1] *MS. Diary* of Lady Henrietta Campbell: Anderson, *Ladies of the Covenant*, p. 522.
[2] Wodrow, *History*, vol. IV, p. 299. Flint-locks were not then in use.
[3] *Chronicles of Atholl*, vol. I, p. 244.
[4] Fountainhall, *Historical Observes*, p. 187.
[5] *Ibid*, p. 185.

from that fortress. Though the Countess of Argyll was also imprisoned there she was not allowed to see her husband until eight days had passed, and the time and the manner of his death had been fixed. [1] His secretary, Spence, was now brought before the Privy Council and told that he might make open confession of all that he knew concerning the rebellion, as Argyll had been taken. He, however, refused to believe the tidings, and said with a laugh if they had had the principal they would not have needed to put questions to a subordinate. The same incredulity existed in some circles in London even after Argyll had been executed. [2]

The Earl was now in a very peculiar position in consequence of the sentence pronounced upon him in 1681. He had then been condemned to forfeit his life, and from that moment in the eyes of the law he was regarded as dead, and consequently incapable of committing fresh offences. This, at least, is our inference from the fact that it was proposed by some to revoke the death sentence under which he lay, in order to put him on trial for his recent treason in raising a rebellion. This course, which might seem to some the simplest and most straightforward which could be adopted, did not commend itself to the Government. They could not quash the sentence except on the ground of its having been unjust or excessive, and this would have cast a serious slur upon the judges who had condemned him and the Parliament which had ratified their decision. Accordingly the authorities simply referred the matter to the King, and requested him in virtue of the sentence passed on Argyll which left the date of execution to be fixed by him, to give them further instructions. [3] As the sentence in question was monstrously unjust his execution under it has been spoken of as a "judicial murder." [4] But the phrase is applicable

[1] Lindsay, *Life of Lady Anna Mackenzie*, p. 128.
[2] Fountainhall, *Historical Observes*, p. 187.
[3] Wodrow, *History*, vol. IV, p. 299 : Fountainhall, *Historical Observes*, p. 171.
[4] So Sir Walter Scott, quoted in Lindsay's *Life of Lady Anna Mackenzie*, p. 133 : see also Burnet, *History of My Own Times*, vol. I, p. 633.

to his case only in a very limited and technical sense. For had the sentence of 1681 been quashed, he would undoubtedly have been condemned and executed for his treasonable conduct in invading the country and in raising an insurrection. As matters were there was a certain advantage to him or, at any rate, to his family in his being executed under the old sentence rather than under a new. For had he suffered death for actually levying war against the King, there would have been no reasonable ground for reversing the forfeiture of title and property which condemnation for treason involved. Whereas the infliction of such extreme punishment in a case of merely constructive treason was so palpably unjust as to call for reversal, when at the Revolution some attempt was made to remedy the evils of the past. Whether this was perceived at the time by his friends and counsel or not is uncertain, but as a matter of fact the judicial proceedings under which he suffered were reversed in 1689 and the forfeiture recalled.

The authorities in Edinburgh were very anxious to force the Earl to make a full confession of all the details in connexion with the rebellion, in order, if possible, to bring home guilt to persons suspected of complicity with it. Accordingly he was frequently visited in his cell and interrogated as to the matter, and was brought before committees of the Privy Council and before the Council itself. The Duke of Queensberry, who had presided in the Justiciary Court at Argyll's trial in 1681, had a private interview with him in which he sought to elicit information. Little is known of what passed except that Argyll "denied that his design had been concerted with any persons in Scotland ; that he gave no information with respect to his associates in England ; and that he boldly and frankly averred his hopes to have been founded on the cruelty of the administration and such a disposition in the people to revolt, as he conceived to be the natural consequence of oppression. He owned at the same time that he had trusted too much to this

principle." [1] The apathy, indeed, of the public with regard to his enterprise amazed him. "Alas", he exclaimed, in speaking of his attempt to deliver his nation from tyranny, "who is there to be delivered? There are some hidden ones, but I see no great party in this country, that desire to be relieved." [2]

On June 22nd, the King wrote to the Privy Council urging them to do all that was possible to extort information from the prisoner. "Whereas", he says, "the late Earl of Argyll is, by providence of God, fallen into our power, it is our will and pleasure that you take all ways to know from him those things which concern our government most, as, his assisters with men, arms, or money, his associates and correspondents, his designs, etc." He added that this enquiry must not be allowed to postpone the date of his execution, which was appointed to be within three days of the receipt of this letter, and he requested that the particulars of his execution and of any confession he might make, should be forwarded to him without delay. [3] The phrase, "take all ways to know from him," implied the use of torture, which was still in Scotch criminal procedure a means for extorting evidence. Argyll was at once informed that these orders had been given. "I am to be put to the torture", he said, "if I answer not all questions upon oath; yet I hope God shall support me." [4]

The list of questions which were put to him is still extant and it is very comprehensive. It begins with enquiries as to who were accessory to his escape from Edinburgh Castle four years before, and aided him to make his way to London; and it goes on to make minute investigation into his relations with disaffected persons in England, Scotland and Ireland, as well as with exiles on the Continent, and into the arrangements

[1] Fox, *James II*, p. 197.
[2] Wodrow, *History*, vol. IV, p. 298.
[3] *Ibid*, p. 300.
[4] *Ibid*, p. 298.

he had made for co-operation with Monmouth. The Earl wrote at the foot of this document: "This is the very principal of the interrogatories given me, which I answered but in part.[1]" But, unfortunately, we have no information as to what his answers were. In writing to Mrs. Smith in Amsterdam, who had aided him with large sums of money, he says: "I die upon mine old sentence, and nothing of what passed lately is to be in public on either hand. Your name could not be concealed, and I know not what any paper taken may say,[2] otherwise I have named none to their disadvantage."[3] As the matter of receiving from this person pecuniary aid in his design was notorious, and as she was out of the power of the English Government, there was less reason to attempt to conceal the share which she had had in promoting the rebellion. It is satisfactory to know that no information based on statements made by him was used in any case of prosecution for treason,if, indeed, he had made statements which could be used for such a purpose. He tells us distinctly that his answers were but in part, and this can only mean that in some instances he refused to reply or to give as full answers as were desired. Here, then, was an opportunity for applying the torture which James suggested in his letter to the Privy Council. Yet it was not applied. The reason seems to us to have been that, as Argyll was not under trial for offences committed since receiving a death-sentence in 1681, it was impossible to put this method of extorting evidence into operation in order to elicit information as to his actions during that time, and that, therefore, the threat to use it was a mere *brutum fulmen*.

One of the clauses in the letter of James II has, we think, an important bearing upon the question of the application of torture to the Earl. He gives directions,

[1] Wodrow, *History*, vol. IV, p. 300.

[2] The Earl means that from papers of his, which had been seized, information concerning some of his associates might possibly have been procured.

[3] Wodrow, *History*, vol. IV, p. 302.

as we have said, that in no case is the execution to be delayed beyond three days after the receipt of the letter. The process of extracting information by torture might be very protracted. In the case of Spence fully a week elapsed before any disclosures were forthcoming. And, therefore, we think from the short and definite period of delay referred to that the actual use of torture was not contemplated. James II was no doubt a King who was inclined to disregard the checks of the constitution and to act despotically, but it was scarcely possible even for him to secure the examination by torture of a man who was not at the time under the accusation of any offence whatever. This being the case, it was quite easy for the authorities to find a way out of the difficulty caused by uttering threats which they were unable to carry out. They had simply to announce that his confession was full enough to render further proceedings unnecessary. This is the statement of matters that was actually given out after his execution, for we find Barillon writing to Louis: "The Earl of Argyll has left an ample confession in writing in which he has disclosed the names of all those who have aided him with money and co-operated with him; and this saved him from torture".[1] Against this statement we have Argyll's own declaration that there were questions, or parts of questions, which he would not answer, and that he had named none to their disadvantage. Had there not been the above mentioned technical difficulty in the way of using compulsion, we doubt not that he would not have been allowed to conceal the smallest fragment of information, which the cruel ingenuity of the tormentors could have wrung from him. For himself, as Burnet tells us, "he justified all that he had done: for he said that he was unjustly attainted: that had dissolved his allegiance; and so it was justice to himself and his family to endeavour to recover what was so wrongfully taken from him. He

[1] Fox, *James II*, Appendix, Barillon to Louis.

also thought that he owed no allegiance to the present King as he had not taken the oath which the law prescribed to be taken by our Kings at their accession to the throne."[1]

[1] *History of My Own Times*, vol. I, p. 633.

CHAPTER XXI.

Manner of death decided upon—The Earl's serenity and gentleness—His last messages and greetings—The circumstances of his execution—His speeches and death—His character—Punishment of the rebels—Later history of the Countess and other members of the Earl's family—Closing remarks.

On Saturday, June 28th, the letter from James II arrived in Edinburgh and, in accordance with the instructions contained in it, the execution of the Earl was fixed for the following Tuesday.[1] The manner of his death was not specified, and the question was debated in the Privy Council as to whether it should be by hanging or beheading. His privilege as a peer should of itself have saved him from the more ignominious punishment, but some were of opinion that he had lost it by the sentence of forfeiture and were careful to call him simply Mr. Campbell.[2] He himself was perfectly indifferent as to which form of death was chosen.[3] In the end it was decided that he should be beheaded. He was accordingly brought on Monday before the Lords of Justiciary to receive his sentence. Before sentence was pronounced Argyll made a short speech. He addressed the Lord Advocate and said that that functionary deserved to be in his place for subverting and wresting the laws of the land in 1681, when he declared that his, Argyll's, procedure

[1] The death-warrant of the Earl is preserved in the museum of the Municipal Buildings in Edinburgh.
[2] Fountainhall, *Historical Observes*, p. 192.
[3] Wodrow, *History*, vol. IV, p. 301.

amounted to treason. For himself, he said, he had but little to say beyond the fact that he had made his escape without violence or prison-breaking, and that there had been grave irregularities in connexion with his condemnation and forfeiture, but that he was in the hands of God and of their Lordships and would give them no further trouble.[1] The sentence was that on the next day he was to be taken to the Market-Cross, and there between two and five o'clock in the afternoon to be beheaded, and his head to be affixed on the Tolbooth of Edinburgh on "a high pin of iron."[2]

From the very moment of his capture down to that of his death the conduct of Argyll was marked by a serenity and gentleness which astonished all beholders. In his prosperity he had often manifested an impatience and irritability under trifling provocation, which now completely vanished from his demeanour. For there are natures in which the pressure of grave responsibility and imminent danger produces an equanimity of which none, who knew them in ordinary circumstances, would have believed them to be capable. So was it with Argyll. The unfortunate position in which he stood as the champion of liberty and of Protestantism, the appalling death which confronted him, and the bitterness of separation from those so dearly loved, were all great calamities which steadied his character and raised it far above fretfulness, perplexity, or fear. As we have seen, he credited those who captured him with feelings of regret and pity; and he expressed his gratitude for acts of kindness received since he had become a prisoner. In writing to his friend in Amsterdam he says: "I was hardly used at first by those in whose hands I am, but God hath melted their hearts, and now I am very civilly used." He speaks also of the permission to send this letter as a favour for which he was bound to be thankful.[3] He believed that he had very grave causes

[1] Fountainhall, *Historical Observes*, p. 193.
[2] Wodrow, *History*, vol. IV, p. 301.
[3] *Ibid*, p. 302.

of complaint against some of his late associates on the ground of their factiousness and even cowardice, and in a statement he made concerning the causes of defeat he seemed to reflect on two of them, probably Cochran and Hume. But he hastened to add: "I am not pleased with myself, I have [used] so hard epithets of some of my countrymen,.....pray put it out of any account you give; only I must acknowledge they were not governable."[1]

His frame of mind at this time is beautifully described by his step-daughter, Lady Henrietta, though she naturally speaks of his enemies in very different terms from those used by him. On the Saturday evening his wife was allowed access to him. "And she," says her daughter, "though under deep distress, was encouraged by seeing the bounty and graciousness of the Lord to him, in enabling him, with great courage and patience, to undergo what he was to meet with; the Lord helping him to much fervency in supplication and nearness in pouring out his heart with enlargedness of affection, contrition, and resignation; which did strangely fortify and embolden him to maintain his integrity before his merciless enemies; and by this he was helped at times to great cheerfulness, and fortified under his trial and the testimony he was to give of his zeal and fervour to that righteous cause he was honoured to suffer for."[2]

On the Sunday his sister Jane, wife of the Earl of Lothian, came to take her leave of him. On seeing her great grief on his account he said to her: "I am now loosed from you, and all earthly satisfactions and long to be with Christ, which is far better. It seemeth, the Lord thought me not fit to be an instrument in His work, but I die in the faith of it, that it will advance, and that the Lord will appear." He specially commended to her love his daughter Jane, or as he called her "My Jeanie."[3]

[1] Wodrow, *History*, vol. IV, p. 298.
[2] Lindsay, *Life of Lady Anna Mackenzie*, p. 128; *MS. Diary* of Lady Henrietta Campbell.
[3] Wodrow, *History*, vol. IV, p. 301.

This young lady stood to her in the double relation of niece and of daughter-in-law and this fact explains how it was that the Earl left her in charge of his sister rather than of his wife.

The confidence of Argyll in the approaching deliverance of the nation from the evils, which had moved him to take up the sword, was repeatedly expressed by him, and it appears in some spirited and touching lines which he wrote as his own epitaph, on the night before his execution —the last exercise of that facility in versification which had often given pleasure to himself and his family. The epitaph ran as follows :—

> "Thou passenger, that shalt have so much time
> To view my grave, and ask what was my crime :
> No stain of error, no black vice's brand
> Was that which chased me from my native land.
> Love to my country, twice sentènced to die,
> Constrain'd my hands forgotten arms to try.
> More by friends' fraud my fall proceeded hath,
> Than foes ; though now they thrice decreed my death.
> On my attempt though Providence did frown,
> His oppressed people God at length shall own.
> Another hand by more successful speed,
> Shall raise the remnant, bruise the serpent's head.
> Though my head fall, that is no tragic story,
> Since going hence I enter endless glory"[1]

Early on the morning of the fatal day he was busily employed in settling his affairs and in writing letters to various persons with whom he had been associated. From one of these letters we have already quoted—that written to Mrs. Smith in Amsterdam, who had contributed so generously to the expenses of his ill-fated enter-

[1] *Argyle Papers*, p. 36. Walpole in his list of Noble Authors includes Argyll in consequence of this epitaph, "which," he says, "though not very poetic has energy enough to make one conclude that it was not his first essay." "The friends' fraud" in v. 7 we interpret as referring not to any causes of complaint against his colleagues, but to the action of those who encouraged the invasion, but held aloof from it when it took place.

prise. The conclusion of it vividly depicts his serene frame of mind and is as follows : " I thank God He hath supported me wonderfully. I have fully resigned all to His holy will : I leave this world willingly, not for fear of trouble, but with hope of glory. This is all you can expect from me from such a place. The Lord God be with you, bless, comfort, and reward you, for all your kindness to all saints, and to your faithful servant, Argyll."[1] Only once was his resolution in danger of being shaken, and that was in his last parting from his wife. We learn this from the narrative of his step-daughter, Lady Henrietta. She says : " In that morning that his dear life was to be surrendered to the God that gave it, he uttered great evidences of joy that the Lord had blessed him with the time he had in Holland, as the sweetest time of his life, and the mercifulness of his escape to that end ; but rejoiced more in that complete escape he was to have that day from sin and sorrow,—yet in a little fell into some damp, and in parting with my mother was observed to have more concern than in any other circumstance formerly ; which to her was a bitter parting, to be taken from him whom she loved so dearly ; but in a little time after he recovered a little, and as the time of his death drew near, which was some hours after, the Lord was pleased wonderfully to shine on him to the dispelling of clouds and fears, and to the admitting him to a more clear and evident persuasion of His blessed favour, and the certainty of being so soon happy,—of which he expressed his sense in his last letter to my dear mother, which could not but sweeten her lot in her greatest sorrow, and was ground of greatest thankfulness that the Lord helped him to the last to carry [himself] with such magnanimity, resolution, contentment of mind, and true valour, under this dark-like providence, to endless blessedness." [2]

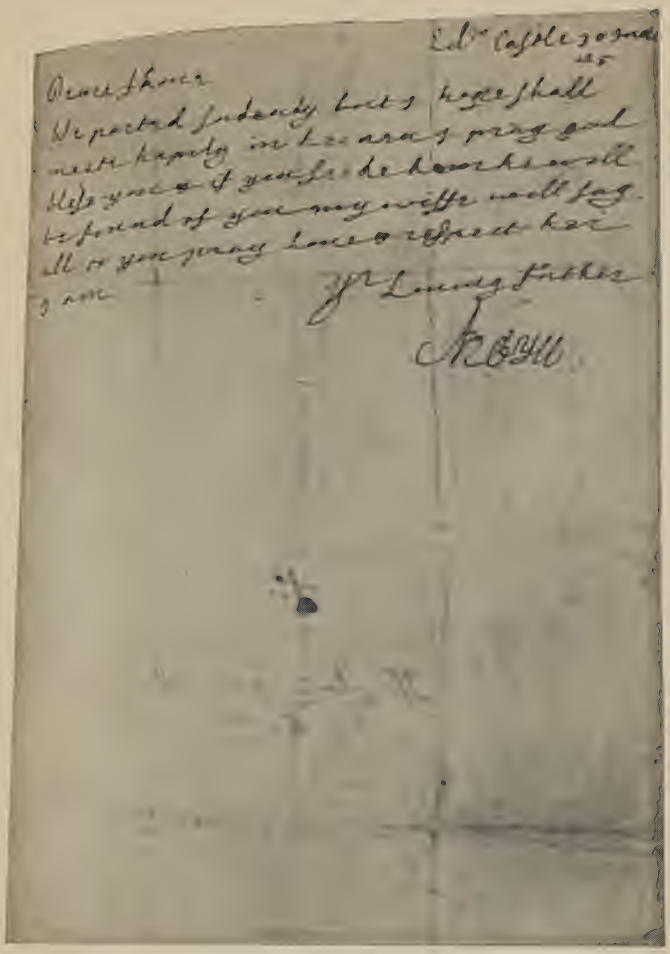
After taking leave of his wife he wrote short notes of

[1] Wodrow, *History*, vol. IV, p. 302.
[2] *MS. Diary*, of Lady Henrietta Campbell.

farewell to his sons, John and James, in which, after exhortations as to their duty to God, he desired them to love and respect their step-mother and to be guided by her counsel.[1] A longer letter he had already written to his eldest son, Archibald, afterwards 1st Duke of Argyll. One third of this letter consisted of affectionate advice, probably not unneeded, to read the word of God and be guided by its precepts and to maintain habits of devotion both in his family and in his own private life, and the remainder of it contained a selection of passages of Scripture which the Earl desired to impress upon his son's mind.[2]

Before noon dinner was served to him and he partook of it with cheerfulness and composure. As he was finishing this, his last meal, Mr. Laurence Charteris, an Episcopalian minister, who had resigned his charge rather than take the Test Oath of 1681, and who at his request had been allowed to visit him, came into the room. With a smile the Earl said to him, "*Sero venientibus ossa*," (i. e. late-comers get the bones).[3] As the Earl had been accustomed to rest for a little after dinner and thought that the want of this refreshment to-day might discompose him for his public appearance, he retired to an inner room and lying down for about a quarter of an hour he "slept as sweetly and pleasantly as ever he had done."[4] This incident suggested the well-known picture, *The Last Sleep of Argyll*, by E. M. Ward, which adorns one of the panels in the corridor of the House of Commons. The full story which is there depicted is that while the Earl was sleeping a prominent official, whose name is not given, came by orders of the Privy Council to speak to the prisoner about some matter before he was led out to execution. He came at an hour when he thought that the Earl would have

[1] *Argyle Papers*, p. 35.
[2] *Hist. MSS. Com.* Report VI, p. 634.
[3] Burnet, *History of My Own Times*, vol. I, p. 633 : see also Scott, *Quentin Durward*, chap. XIX.
[4] Wodrow, *History*, vol. IV, p. 302.



Fac-simile of a letter written by the Earl of Argyll
on the day of his execution.

finished dinner and asked to see him. He was requested to wait for a few minutes as the Earl was asleep, and had left orders that he was not to be disturbed. The official thought that this was a mere subterfuge and insisted on seeing the prisoner. "He was," says Wodrow, "assured of the truth of the thing, and, for his satisfaction the closet door was softly opened, and he saw the earl sleeping as calmly as ever in his life."[1] We are told that the person in question left the Castle at once and entering the house of a friend near at hand burst into a passion of grief, as he compared the serenity of Argyll at such a time with the remorseful feelings which filled his own breast. As Argyll had been guilty of treason, some incredulity has been expressed as to whether such an official would be likely to be thus affected by the sight of his equanimity in the presence of death.[2] In coming to a decision on this point, we have to bear in mind that in the case of a harsh and corrupt Government impressive examples of nobility of character are often to be found among those who resist it, and who are technically guilty of treason, and also that those who are so base as to act as agents of such a Government are not always able to suppress the reproaches of their own consciences. In such a state of matters we can quite imagine something like compunction occasionally visiting even the official mind, and refusing to allow it to find an anodyne in the thought of the sanctity of the cause of law and order.

At twelve o'clock noon the Earl was handed over by the Castle authorities to the custody of the magistrates of Edinburgh, who were to attend to the carrying out of the sentence, and he was then taken down in a coach under a strong guard to the Council-House. Here he was kept until the hour appointed for his execution. According to the decision of the Privy Council, eight of his friends and relatives were allowed to assemble here and accom-

[1] Wodrow, *History*, vol. IV, p. 302.
[2] Rose, *Observations on Fox's History*, p. 116.

pany him to the scaffold. These were Lord Maitland, his son-in-law, nephew of the late Duke of Lauderdale, his cousin, Montgomery of Skelmorlie, and various prominent members of the House of Campbell.[1] Here his step-daughter, Lady Henrietta Campbell, to whom he had already written a farewell letter,[2] was allowed to see him. He said to her with endearing words, "We must not part like those not to meet again".[3] When she left him he wrote two short letters, one to his step-daughter, Lady Sophia, to whom he was very deeply attached and who aided him to escape in 1681, and the other to his wife. To the former he wrote: "My dear Lady Sophia, what shall I say in this great day of the Lord, wherein, in the midst of a cloud, I find a fair sunshine. I can wish no more for you, but that the Lord may comfort you, and shine upon you as he doth upon me, and give you that same sense of His love in staying in the world, as I have in going out of it. Adieu. *Argyll.* P.S. My blessing to dear Earl of Balcarres [her brother], the Lord touch his heart and incline him to His fear." While to his wife, he wrote: "Dear Heart, as God is of Himself unchangeable, so He hath been always good and gracious to me, and no place alters it; only I acknowledge, I am sometimes less capable of a due sense of it: but now above all my life, I thank God, I am sensible of His presence with me, with great assurance of His favour, through Jesus Christ, and I doubt not it will continue till I be in glory. Forgive me all my faults, and now comfort thyself in Him, in whom only true comfort is to be found. The Lord be with thee, bless thee, and comfort thee, my dearest. Adieu. My dear, thy faithful and loving husband, *Argyll.*"[4]

[1] Fountainhall, *Historical Observes*, p. 193. Richard, Lord Maitland, was eldest son of Charles, 3rd Earl of Lauderdale, brother of the famous Duke of Lauderdale and was husband of Anne, the elder of Argyll's two surviving daughters.

[2] Given in Wodrow, *History*, vol. IV, p. 304.

[3] Lindsay, *Life of Lady Anna Mackenzie*, p. 129.

[4] Wodrow, *History*, vol. IV, p. 303.

While in the Council-House he spoke freely of the dangers of Popery, of the reverse in his own fortunes, and of the injustice of the sentence of death passed upon him four years before, under which he was now to suffer. So far as the accusation then preferred against him was concerned he said that his conscience gave him no trouble. He made but little reference to his invasion of the country, but he entreated the representatives of authority who were then present to endeavour to secure favourable terms for his children. He made special supplication on behalf of his son, John, who, he said, had attended him in the insurrection merely as an unarmed companion, some weakness in his hands making him incapable of using a weapon. He also spoke of the Highlanders who had been with him as deserving mercy, since so many of them had been forced into military service.[1] In a pause in the conversation he turned to the Dean of Edinburgh, Mr. Annand, who, together with the Mr. Charteris, already mentioned, had been appointed by the Privy Council to wait upon him, and asked him if he thought that the Pope was that Antichrist spoken of in Scripture. He replied that was the belief of the Protestant Churches. " But, " said the Earl, " what think you ? " " I think so, too, my Lord, " replied Mr. Annand. " Then, " said the Earl, " be sure you instruct the people so. "[2]

Shortly after two o'clock in the afternoon word came that all the preparations for the execution had been made. Argyll proceeded to the place of death upon foot, with the Dean upon his right hand and Mr. Charteris upon his left, and accompanied by his eight friends dressed in deep mourning. In consequence of his privilege as a peer he was unbound and he wore his hat.[3] A great crowd witnessed his arrival and the subsequent proceedings. On ascending the scaffold he was addressed by

[1] Fountainhall, *Historical Observes*, p. 195.
[2] Wodrow, *History*, vol. IV, p. 304.
[3] Fountainhall, *Historical Observes*, pp. 192, 193.

Mr. Annand, and exhorted to pray for a safe passage through the last dark valley that lay between him and everlasting bliss. Thereupon Mr. Charteris spoke in appropriate terms of his using this brief moment to confess to God any sin hitherto unrepented of, and assured him of the Divine compassion to the penitent transgressor. The Earl who had listened reverently to their exhortations then addressed Mr. Charteris : " It is true, Sir, I think it a duty incumbent upon me to make an acknowledgment of my sins ; and in order to that, I think this deserves the first place above the rest, that I did not set time enough apart to wrestle with God in private in behalf of His work and interest, and my own poor soul ; and, likewise, that I did not worship God in my family so much as I should have done, partly because it was too much the custom of this nation to neglect so heavenly an exercise, and partly because I never looked on myself as a person very fit for such an employment : and likewise [I think it my duty to acknowledge] my public failings, which are well known, and for which I have reason to be ashamed this day. " Upon this the Dean broke in and said that no special enumeration of sins and shortcomings was expected from him. The Earl took no notice of the interruption and went on to say : " Likewise, I have reason to bemoan this as a great fault, that I did not improve the time of my banishment, and these three years' respite the Lord was pleased to give me, so much for His glory, and the advancement of His work and interest as I might have done in my station ; and I earnestly beg that one and all of you who see me die this day, may beware of those and the like sins, as you would not desire the like or worse punishments to be inflicted upon you ; for I do really look on my death as a just punishment inflicted on me by God for my sins, though undeserved at the hands of men ; and I would have thought as little to have appeared in this place some time of day after this manner, as many of you who are now satiating your eyes in beholding me : but the Lord,

in His Divine wisdom hath ordered it otherwise; and I am so far from repining and carping at His dispensations towards me, that I bless His name, and desire heartily to give Him endless praise and thanks for the same."

He then asked Mr. Charteris to pray, but the latter gave place to his colleague who regarded this office as belonging to him. Though Mr. Annand was a Dean in an Episcopal Church he made no use of a liturgy. His prayer concluded with an expression of regret "that such a pillar of the Church was falling this day,"—for which he is said to have been afterwards reprimanded by his superiors. Argyll had heard with some impatience, we may believe, this public commendation of himself, and he turned to Mr. Charteris and said, "Sir, why don't you pray?" Whereupon the latter did so in fervent and impressive language. Then the Earl himself knelt down upon a cushion to pray. Some one of the friends who accompanied him, perhaps thinking with a touch of Highland pride that enough in the way of humble confession of unworthiness had been uttered in the hearing of men, whispered to him to pray silently. This he did, we are told, for a considerable time, having his face covered and his hands clasped together.

He then arose and read a brief speech to the vast multitude, who had assembled to see him die. In it he made but slight allusion to his past history, and to the events which had brought him to the scaffold. The main part of his speech consisted of expressions of devout resignation to God's will and of the beneficial effects of sufferings meekly borne. He concluded by saying: "I do hereby forgive all that directly or indirectly have been the cause of my being brought to this place, first or last, and pray God may forgive them. I pray God send peace and truth to these three kingdoms, and continue and increase the glorious light of the Gospel, and restrain a spirit of profaneness, atheism, oppression, Popery, and persecution; and restore all that have backslidden from the purity of their life and principles, and bless His whole

people with all blessings, spiritual and temporal, and put an end to their present trials. I entreat all present to forgive me wherein I have offended, and to concur with me, that the great, good, and merciful God would sanctify my present lot, and for Jesus Christ His sake pardon all my sins, and receive me to His everlasting glory. It is suggested to me, that I have said nothing of the royal family, and this remembers me, that before the justices at my trial, about the Test, I said, that at my death I would pray, that there might never want one of the royal family to be a defender of the true, ancient, apostolic, Catholic, and Protestant faith, which I now do; and that God would enlighten and forgive all of them, that are either hid in error, or have shrunk from the profession of the truth ; and in all events, I pray God may provide for the security of his Church, and that Antichrist, nor the gates of hell may never prevail against it. "

When he had finished, he folded the paper and gave it to Mr. Annand, and then he turned to the south side of the scaffold and said " Gentlemen, I pray you do not misconstruct my behaviour this day ; I freely forgive all men their wrongs and injuries done against me, as I desire to be forgiven of God. " The Dean repeated his words in a louder tone to the people. Argyll then went to the opposite side of the scaffold and made a similar statement. The Dean again repeated his words and added to them, " This nobleman dies a Protestant " The Earl was roused by this announcement to make a more vigorous declaration of the fact, and accordingly he again stepped forward and said : " I die not only a Protestant, but with a heart-hatred of Popery, prelacy and all superstition whatever. "[1]

The instrument of death by which he was to suffer was the rude guillotine called " The Maiden ". As he turned towards the block on which he was to lay his head it seemed to him to lie uneven. With extraordinary

[1] Wodrow, *History*, vol. IV, p. 306.

calmness he took a little rule from his pocket and measured it. On finding that the defect existed, he pointed it out, and it was rectified by a carpenter—probably one of those who had erected the scaffold.[1] The Earl then took leave of his friends, embracing some and taking others by the hand. To his wife and children he sent some little tokens of remembrance by his son-in-law, Lord Maitland, and then he took off his outer clothes and gave them to his friends. The cap he wore was drawn down to cover his eyes, and he was led to the place where the executioner stood ready.[2] As he knelt upon the stool which stood before "The Maiden", he took hold of the engine of death, and in a composed voice and with a gleam of humour that remind us of the mood of Sir Thomas More at the like moment, he ejaculated that "it was the sweetest maiden ever he kissed, it being a mean to finish his sin and misery, and his inlet to glory, for which he longed." He had asked the executioner to stay his hand until he gave a sign, and in that posture he prayed for a little to himself, and then he uttered thrice aloud the words, "Lord Jesus, receive me into Thy glory." As he gave the sign by lifting up his hand the axe fell, and the life which had been so full of change and trouble was now at an end.[3] Some spoke of him as having been "the ludibrium [plaything] and tennis-ball of fortune",[4] but such was not his own view of matters. By his experience of life his character had been strengthened, deepened, and refined; and in his last moments we see rather the steadfastness inspired by faith than the nerve and resoluteness of the gallant cavalier. The greatness of soul which in his case as in

[1] *Biog. Brit.*, vol. III, p. 200.

[2] The cap worn by the Earl of Argyll at his execution is now in the possession of the Earl of Home. The latter has obligingly furnished us with the following description of it. "The cap," he says, "probably originally white and now a fawn shade, is made of satin in six portions and is lined with linen. A piece of hand made lace surrounds the edge. The cap is much bespattered with blood stains."

[3] Wodrow, *History*, vol. IV, p. 306.

[4] Fountainhall, *Historical Observes*, p. 194.

that of his father had robbed death of its terrors can never fail to extort our admiration.

> "Nothing is here for tears, nothing to wail
> Or knock the breast; no weakness, no contempt,
> Dispraise or blame; nothing but well and fair,
> And what may quiet us in a death so noble."[1]

Little is gained in estimating his career by pointing out that he deserved death for raising an insurrection. Those, who are inclined to dismiss the subject with a statement of this kind, might find profitable employment in calculating how intolerable that tyranny must have been, which drove a man of his devout character and strongly Royalist proclivities into the position of a rebel. Had he but had patience, and remained for a few years longer in exile, none can doubt that at the Revolution he would have been recalled with honour, and would have taken the highest place in the kingdom at the right hand of the Throne.

Some estimate of the character and career of one whom Macaulay has described as "one of the bravest and most true-hearted of Scottish patriots",[2] will naturally be expected by our readers, but nothing at great length is necessary after the detailed story we have written of his chequered life. He had not the intellectual power of his father, nor did he play so commanding a part in the national history as his father had done; for while the Marquess was a statesman with enlightened views and with ability to mould the national policy, his son belonged to the order of politicians, who, so far from controlling are oftentimes the victims of the forces at work in the society about them. But though he did not dominate the public life of Scotland, as the Marquess had done in the reign of Charles I, and as Lauderdale did in that of Charles II, he had strength of character which kept him

[1] Milton, *Samson Agonistes*.
[2] *History*, chap. XVIII.

from being the mere humble adherent of any prevalent party in the State. As we have seen, he entered public life immediately on the death of Charles I, and his first act was to offer his sword for the support of the royalist cause then so grievously disabled, and his loyalty to the throne and the House of Stewart endured until the time came when a choice had to be made between it and loyalty to the cause of liberty and of religion. In an instant the choice was made, and as he had risked his life in the one cause so he laid it down for the other. It is true that after he had made the change he regretted some of his former acts of compliance with the Government of Charles II, but his doing so does not necessarily convict him of inconsistency of conduct ; for such revulsion of opinion and of feeling must always be experienced by those who conscientiously resist the forces of revolution, and then discover that the revolutionaries are in the right and cast in their lot with them. For several years after the Restoration the enemies of his House were in the ascendant, and it was not until their power was weakened that he regained the position in public life that was his birthright ; so that he was in no way responsible for the initial blunders and crimes which were the seed of such a bloody harvest in Scotland. He zealously supported Lauderdale's policy of remedying ecclesiastical grievances by Acts of Indulgence—a policy, as it seems to us, reasonable enough in the circumstances—while the fact that, beyond being a member of the Privy Council, he held no high office in the State, implies that he had but a limited share of responsibility for the evils which marked the administration of that statesman, especially in his later years. As we have seen, the Earl of Argyll and Sir James Dalrymple were for years the persons in the Privy Council who might be expected to support reasonable demands for the redress of evils. His refusal to take an oath which would hinder attempts to introduce beneficial changes in Church and State was an illustration of the spirit of his public life. The fact that his

refusal brought upon him a sentence of forfeiture and death shook the throne of the Stewarts to its very foundations.

The great mistake of his life was his invasion of Scotland in 1685. His failure on that occasion was based upon a two-fold error—a miscalculation of the condition of public feeling in Scotland, and his making common cause with persons who called him their General but disobeyed his orders. His conduct from the moment when he was bound a prisoner down to that of his death was singularly beautiful. His kindly references to his captors, and to his gaolers, and to his disorderly associates who had squandered his military stores and mocked at his authority, his affectionate solicitude for his clan and for his family whom his ill-advised action had so seriously endangered, and his simple faith and self-possession and unquenchable spirit in the presence of death, are beyond all praise. It was indeed calamitous that men like him and like his father, should have perished at the hands of the executioner. But yet their deaths were not in vain. They were like soldiers who were cut off before they could see the triumph of their cause, but whose labours and sufferings, and death had done much to secure that triumph.

The suppression of the rebellion which Argyll had raised was attended with comparatively little bloodshed, so far as the regular administration of justice was concerned. The Highlanders who had taken part in it were regarded as having been in a measure obliged by their tenures to obey the orders of their chief.[1] As the country had not responded to the summons to rise, the Government were not agitated by that fear which often explains bloody measures of retribution in such cases. Yet many perished from starvation and disease in the loathsome prisons into which they were crowded, and

[1] Burnet, *History of My Own Times*, vol. I, p. 632 : Foxcroft, *Supplement to Burnet*, p. 159.

numbers were sent over sea as slaves to the plantations.[1] The Earl's sons, John and Charles, who had shared in the rebellion, were sentenced to death, but this penalty was commuted for banishment with forfeiture of all rights and property. Lord Neil Campbell, the Earl's brother, who had been apprehended soon after the rebellion had begun, and imprisoned as a precautionary measure, on obtaining his liberty took refuge for a time in New England.[2]

But although the Government should be credited with comparative lenity in dealing with the rebels, many atrocities were perpetrated in Argyllshire upon members of the Clan Campbell who had aided their chief in his fruitless attempt. The persons responsible for this were the Duke of Gordon, the Marquess of Atholl and the Earl of Breadalbane. Thus we read of twenty-two or twenty-three persons, some of whom had surrendered under promise of quarter and protection, being put to death, and of an express being sent from the Privy Council forbidding further bloodshed, which is said to have been very unwillingly obeyed. Carnassery Castle, the residence of Sir Duncan Campbell, was defended by his friends and tenants for some time but was surrendered on honourable conditions. These, however, were violated, and the house was pillaged and burned. For thirty miles round Inveraray the country was laid waste, and in order to ruin it effectually, parties were sent to pull down houses, to break millstones, to destroy fruit-trees and valuable timber, to stave in boats and to burn fishing-nets. So shameful were their actions that the Government marked its displeasure at them by depriving Atholl of the Lord-Lieutenancy of the county.[3]

In accordance with the sentence pronounced on the Earl, his head was affixed on a spike on the west end of the Tolbooth—the place where that of his father and

[1] *Depredations in Argyle*, 1685-86.
[2] Wodrow, *History*, vol. IV, p. 311.
[3] *Ibid*, p. 310 : *MS. Diary* of Lady Henrietta Campbell : Lindsay, *Life of Lady Anna Mackenzie*, p. 137.

that of Montrose had once stood.[1] His body was buried at Newbattle Abbey, the seat of the Earl of Lothian, where fifty-six years before he had first seen the light. After the Revolution the head was taken down and buried there also. On the death of his son, Archibald, 10th Earl and 1st Duke of Argyll, both bodies were taken down to Kilmun, the burying-place of the family (June 27th, 1704).[2] His widow survived until about the close of 1706, when she died at the age of eighty-five years. As she had lived in the reigns of all the Stewart Sovereigns who sat upon the English throne, and had taken a prominent part in the public events of her time, her life abounds in incidents of great interest. After the Revolution she settled at Balcarres, where she managed the property of her son, Colin, who was in exile. At her death she seems to have been buried there beside her first husband, the 1st Earl of Balcarres. Her daughter, Sophia, who married Charles Campbell, died without children. Her daughter, Henrietta, the wife of Sir Duncan Campbell, had one son, Sir James Campbell, of Auchinbreck.[3]

The Earl's eldest son, Archibald, Lord Lorne, had, as

[1] By order of James II a medal was struck to commemorate the defeat and execution of Argyll and Monmouth. It was executed by Robert Arondeaux who did a good deal of work of the same kind both for William III and for Louis XIV. On the one side is a bust of James II covered with laurel, placed upon a large basis or altar, on the front of which are the arms of England with the Garter and over it the Crown. Upon the Altar lie four sceptres bearing on their tops the rose, lily, thistle and harp. Upon each side is represented the sea, with Neptune holding the trident, drawn in a chariot by Marine horses and with two vessels under sail. The motto is : *Aras et sceptra tuemur :* and the inscription is the King's name and titles with the date 1685. On the reverse Justice is standing with a sword in one hand and balances in the other. The sun is darting his beams upon her head while lightning issues out of a dark cloud. Three mural crowns in one scale outweigh a scimitar, a " Protestant flail ", and a serpent. Another serpent lies under the feet of Justice, while beside her are two headless bodies, those of Monmouth and Argyll. The heads of the latter are lying on two square blocks, one on either side of the central figure, with their respective names inscribed upon them. Upon one side of the carcasses are represented soldiers routed and in flight, and on the other a castle, with two heads fixed on spikes over the gate-ways. Beneath the figure of Justice is the motto : *Ambitio malesunada ruit.*

[2] *Hist. MS. Com.* Report I, p. 116b : *Depredations of Argyle*, p. 124.

[3] Lindsay, *Life of Lady Anna Mackenzie*, pp. 141-143.

Medal struck after the execution of Argyll and Monmouth.

we have seen, abstained from supporting his father's enterprise in 1685, and had even offered his services in aid of the royal cause. But neither this, nor other attempts made by him to avert the anger of the King or to conciliate his favour, were of much avail.[1] James declined to reverse the attainder of title or property, for the securing of which he had judged it worth while to stain his honour in the shameful proceedings of 1681. It is not, we hope, below the dignity of history to record an incident, which, in an age when strange occurrences and coincidences were taken notice of as of good or evil omen, was thought to be prophetic of good for the House of Argyll. On the very day and at about the hour of the Earl's execution, Lord Lorne's son, John, afterwards 2nd Duke of Argyll, fell out of "a three pair of stairs' window," without receiving any hurt. The child was about six or seven years of age and was staying at the time with his aunt, the Countess of Moray, at Donibristle in Fife. Many interpreted this as a happy omen of the rising again of the family then so much at the mercy of its enemies.[2]

At the intercession of the Earl of Balcarres, whom Argyll had mentioned in his last letter to Lady Sophia, James settled a pension of £800 Sterling a year upon Lord Lorne.[3] The latter shortly afterwards went over to the Hague and accompanied the Prince of Orange in his expedition to England. He sat as a member of the Scotch Estates in 1689, and was one of the three commissioners deputed to offer the Scotch Crown to William and Mary, and he it was who administered to them the Coronation Oath (May 11th. 1689). A few weeks later an Act was passed in the Scotch Parliament rescinding his father's forfeiture and restoring him to his ancestral estates.[4] He was desirous that the Marquessate,

[1] *Lockhart Papers*, vol. I, p. 63 : Fountainhall, *Chronological Notes*, p. 127.
[2] Campbell, *Life of John, Duke of Argyle*, p. 31 (1745).
[3] Lindsay, *Life of Lady Anna Mackenzie*, p. 133.
[4] *D. N. B.*, vol. VIII, p. 339.

bestowed upon his grandfather and forfeited at the latter's execution in 1661, should be restored to him, but the higher title of Duke was bestowed upon him in 1701. He was succeeded by his two sons, John and Archibald, as 2nd and 3rd Dukes of Argyll. On the death of the last named holder of the title in 1761 his cousin, John, a son of the John mentioned in these pages as having accompanied his father, the 9th Earl, in the invasion of Scotland, succeeded to the Dukedom. From him the present family are descended. Of those representatives of this historic House whom our own generation has seen this is not the place in which to speak, beyond saying that, in addition to the splendid capacity for service of the State which they have possessed in common with so many of their ancestors, they have been distinguished in the fields of philosophy and literature and have done more than maintain the dignity transmitted to them.

We have now, in the two volumes which tell the history of the life and times of the 8th and 9th Earls of Argyll, given both particulars of their careers and a narrative of public events in Scotland from the accession of Charles I to the Revolution of 1688. This most stirring and heroic period of Scotch history will never lose its interest. Though centuries have passed since then, the ashes of the volcanic outburst which it witnessed have not yet grown cold, and almost at any point the careless foot or the wilful purpose may uncover still glowing embers. The great source of strife, in dealing with the period in question, is the attitude taken up by the historian or critic to the Covenants and their adherents. For our own part we have indulged in no indiscriminate eulogy of either. The National Covenant of 1637 is, we think, an expression of patriotism and religion demanding admiration from every generous heart. The Solemn League and Covenant of 1643, which superseded the former, appears to us in quite a different light. The alloy of worldly policy and of spiritual pride seems to us to vitiate it to some extent

and to be the source of some of the misery which afterwards afflicted the national life. But even with regard to it, we consider that the historian who approaches it sympathetically is likely to form the most trustworthy judgement ; for we are convinced that political or ecclesiastical rancour blinds the eyes as well as hardens the heart. The influence upon the national life and character of the great movements which found expression in these documents is undeniable ; and we believe that it will be an evil day for the patriotism and for the spiritual life of the country, when Scotland forgets 'the rock whence it was hewn and the hole of the pit whence it was digged.' Of course, we remember that there has always been in Scotland a minority, which has furnished sharp-tongued critics of the causes dear to the majority. Yet their position is not without dangers of its own. The ablest commentator on the book of Job points out that the mordant critic who in the opening chapters assails the character of that patriarch, is not represented as a fallen or evil spirit, though it seems as if that would be the end of matters. He is rather one "whose part it is to oppose men in their pretensions to a right standing before God." The dangerous element in his case is that "he shews an assiduity slightly too keen in the exercise of his somewhat invidious function." [1] The injudicious friends of the Covenanters may perhaps have claimed too much for them in the matter of their "right standing before God," and the criticism to which we have referred may possibly serve a good end, and promote the cause of truth, which is broader than the foundation of any one party, political or ecclesiastical. But the function is, as has been said, a somewhat invidious one, and is rather to be dreaded for its effect upon those who exercise it than upon those against whom it is directed. The true danger does not arise from that quarter. Its source is in moral and religious indifference, which leads a man to take no side in the

[1] Davidson, *Job*, (1884), p. 7.

conflict between good and evil, or which hides from him the fact that there is a good cause, and that not to fight eagerly for it is to be hostile to it. To those who look with lack-lustre eyes upon the struggles of the past, and say that there was no occasion for them, and that the one faction was as good or as bad as the other, we would commend the warning words of Brinhild, "the fairest of earth and the wisest of the wise":

> "When thou hearest the fool rejoicing, and he saith,
> 'It is over and past,
> And the wrong was better than right, and hate turns
> into love at the last,
> And we strove for nothing at all, and the Gods are
> fallen asleep;
> For so good is the world a growing that the evil
> good shall reap:'
> Then loosen thy sword in the scabbard and settle
> the helm on thine head,
> For men betrayed are mighty, and great are the
> wrongfully dead."[1]

[1] Morris, *The Story of Sigurd the Volsung*, (1877), p. 163.

THE END.

APPENDIX I.

AN ACCOUNT-BOOK OF ARCHIBALD, 9th EARL OF ARGYLL.

This document consists of thirty pages of foolscap paper, unbound, and contains entries of household expenditure at Inveraray from January 4th, 1680, to December 30th of the same year. It is the property of Alex. O. Curle, Esq., and an account of it was given by him in a paper read at the meeting of the Society of Antiquaries of Scotland, Jany. 14th, 1907. The account-book is interesting for the glimpses it affords of the economy of a great Highland household. It is noticeable that while there is not a single entry in the accounts for meat, which with the ordinary produce of the country would be supplied from the payment of rents in kind, flour and biscuit come from the baker (baxter) in Glasgow. Herrings are laid in, in June, at seven shillings [1] per hundred, and a quarter-hundred of hard fish costs £9. No other fish are mentioned, but of shell-fish there are occasional entries of oysters. Brandy is mentioned but there is no allusion to whisky, unless the entry of six shillings for a worm supplied to Mr. James indicates the operation of a small still. A hogshead of sack cost £162, and there are frequent entries of a light sour wine called vinegar. Drinking-glasses were just then coming into fashion and vinegar-glasses from Glasgow cost six shillings apiece, and a dozen and half of ordinary glasses four shillings each. There is little mention of other table or household utensils. The tinkler is

[1] The sums mentioned are in Scots currency. To obtain the Sterling value it is necessary to divide by twelve.

entrusted with the mending of the silver laver, and old English and Scotch pewter flagons and other vessels are exchanged for new ones. Peats, which were used when coals ran out, cost 2/6 to 3/- per load, and the coal bill, from April to October, amounted to £365 at ten shillings a barrel. Soap comes from Holland, and ordinary candles cost £2/18/- per stone, while those with cotton wicks cost £3/6/- per stone. There is a garden in which the gardener plants in the spring 700 bowkail and later gooseberry and currant sets, the account for the the latter amounting to £21. For the children's education £40 is paid to Mr. John Campbell, doctor of the Grammar School, Glasgow. A fencing-master receives £117, fishing lines are brought to them from Greenock, golf-balls from Edinburgh, powder and lead for shooting, and arrows for archery are also supplied; and their clothing and boots and shoes come from Edinburgh. The total of the year's expenditure amounts to £18,417, but includes several considerable sums paid to the Earl himself for objects not disclosed, and sums expended by the Countess for charitable purposes. It is interesting to note that while there is only one mention of a piper there are several entries for doles given to harpers and violers.

APPENDIX II.

A LETTER WRITTEN BY ARGYLL ASKING SUPPORT IN HIS REBELLION.

This document was printed in a broadside by the authorities in Edinburgh, June 1st, 1907, with a brief narrative of the insurrection up to the date specified. Evidently the letter was forwarded to the Privy Council by the recipient.

Campletown (*sic*)
May 22 1685

Loving Friend,

It hath pleased God to bring me safe to this place, where several of both Nations doth appear with me for defence of the Protestant Religion, our Lives and Liberties, against Popery and Arbitrary Government, whereof the Particulars are in two Declarations emitted by those noble-men, Gentle-men and others and by me for my self. Your Father and I lived in great friendship, and I am glad to serve you his son in the Protestant Religion, and I will be ready to do it in your particular when there is occasion. I beseech you let not any out of fear or other bad principles perswade you to neglect your Duty to God and your Countrey at this time, or believe that D. York is not a Papist, or that being one, he can be a righteous King. Then know that all *England* is in Arms in three several places and the Duke of *Monmouth* appears at the same time upon the same grounds we do, and few places in Scotland but soon will joyn, and the

South and West wants [? waits] but till they hear I am landed, for so we resolved before I left *Holland*. Now I beseech you make no delay to separate from those [who] abuse you, and are carrying on a Popish design, and come with all the men of your command to assist the Cause of Religion, where you shall be most welcome to

Your Loving Friend to serve you.
ARGYLL.

P. S. Let this serve *Young Loigie*, *Skipnage and Charles Mc Echan.*

Those who publish the letter say it was directed to "the Laird of Lupe." We may say that this interesting historical document is in the possession of J. A. Fairley Esq, Edinburgh.

INDEX

Aberdeen, Synod of, 108, 260.
Abjuration, Oath of, 324, 325.
Act of Classes, 30.
Act of Grace, 189.
Act Rescissory, 101, 109, 123, 227.
Act of Supremacy, 168.
Acts of Indemnity, 110, 126, 152.
Acts of 1662, 123, 124, 160, 180, 205n.
Advocates, secession of, 194.
Airds Moss, skirmish at, 246, 323.
Airlie, Earl of, 212.
Alford, Battle of, 173.
Alva, 560.
Alyth, 31.
Amsterdam, 305, 322, 327, 334, 336, 343, 344, 352, 385, 410, 412.
Andover, Viscount. *See* Berkshire, Earl of.
Anna, The, 343, 344, 349.
Annand, Wm., Dean of Edinburgh, 417-420.
Annandale, 325.
Anne, Princess, 244.
Anne of Austria, 21.
Archer, Thomas, 400n.
Ardentinny, 386.
Ardkinglass, Castle of, 382.
Ardmillan Castle, 364.
Argyll, Archibald Campbell, 7th Earl of, 5, 8, 116n, 172n.
Argyll, Archibald Campbell, 8th Earl and 1st Marquess of, opposes Charles I, 12; joins with Hamilton, 13; raises a regiment for the French service, 15; defeated by Montrose, 18; his son defends his loyalty, 22; loss of power after Dunbar, 30; breaks with Charles II, 31; makes terms with the English Government, 32, 33; secures safety of English prisoners, 36; hostile to Royalist rising, 38; sends information to Lilburne, 40; remonstrates with Lord Lorne, 44; appeals to his clan for support, 46; aid to Colonel Cobbett, 51; suggests an English garrison for Inveraray, 53; referred to by Captain Hill, 57; claims on Badenoch lands, 58; writes to Monck, 68; conflict with his son, 69; meets with his son, 70; strained relations with the latter, 76; treachery of Charles II towards him, 85; his arrest, trial and execution, 85-87; letter to Earl of Morton, 3; letter to Sir Colin Campbell, 8; letter to Lord Lorne, 45; other notices of him, 132, 134, 171, 191, 197, 251, 276, 357, 361, 374, 422, 428.
Argyll, Archibald Campbell, 9th Earl of, birth, 2; poor health in infancy, 5; "fostered" at Glenurquhay, *ibid*; returns to Inveraray, 11; proposed marriage, 14; honorary commander in Scots Guard, 15: enters Glasgow University, *ibid*; tricks of manner and characteristics, 16; continental travels, 19; strong Royalist proclivities, 23, 423;

marriage, 25 ; appointed Colonel of foot-guards, 26 ; Clarendon's slander of him, 28 ; at Battle of Dunbar, 29 ; at Inveraray, 32 ; acquiesces in terms imposed by English Government, 33 ; organizes attack on English garrisons, 35 ; joins Royalist conspiracy, 38 ; openly rebels, 45 ; appeals to his clan for support, 46 ; distrusted by Glencairn, at enmity with Glengarry, 49 ; joins with Lord Kenmore in guerilla exploits, 50 ; expedition into Kintyre, 52 ; returns to Glenurquhay, 54 ; attempts to levy men in Badenoch, 56 ; quarrels with Glencairn, 57 ; makes his escape, 59 ; falsely accused, 60 ; praised by Monro, 64 ; proclaimed a rebel by Monck, 65 ; exploits in Argyllshire, 68 ; interview with his father, 70 ; comes to terms with the English Government, 73 ; kept under strict surveillance, 76 ; spy employed against him, 78 ; imprisoned in Edinburgh Castle, 79 ; meets with a serious accident, 80 ; liberated on parole and resides at Bog of Gight, 81 ; goes up to London, 84 ; applies to Charles II on be half of his father, 85 ; tries to save his father, 86 ; intrigues against Lorne, 115 ; his aunts intercede for him, 116 ; accused of "leasing-making" and condemned to death, 118, 121 ; warns Lauderdale of danger, 128, 129 ; released from prison, 131 ; Earldom restored to him, *ibid* ; seeks for Spanish treasure, 134 ; apprehends suspects, 139 ; conduct during Pentland Hill rising, 146-149 ; glimpses into his family life, 152-154 ; death of the Countess of Argyll, 155 ; settles indulged ministers in Argyllshire, 161 ; welcomes Lauderdale to Scotland, 163 ; loses favour with Lauderdale, 166 ; at opening of Parliament, 167 ; on question of Union with England, 169 ; ratification of the reversal of forfeiture, 170 ; quarrel with Tweeddale, 171 ; second marriage, 172 ; referred to in letter of his wife to Lauderdale, 175 ; supports Lauderdale, 187 ; compromised by members of his family, 192 ; difficulties with the Macleans, 197-200 ; spokesman of the moderate party, 205 ; abstains from assisting the Government, 213 ; marriages between families of Argyll and Lauderdale, 220 ; summoned to assist the Government against rebels, 231 ; ordered to disarm Papists in the Highlands, 232 ; Privy Council dubious regarding him, 233 ; joins in protest against the Duke of York's illegal action, 242 ; signs address to Charles II, 245 ; concerned in condemnation of Cargill, 247 ; entertains Duke of York at Stirling, 249 ; refuses to abjure Protestantism, *ibid* ; carries crown at the opening of Parliament, 250 ; gives offence to the Duke of York, *ibid* ; attacks upon him in Parliament, 251, 252 ; abstains from voting in the Test Act, 253 ; hostile relations with the Duke of York, 255, 258 ; dismissed from Court of Session, 258 ; takes the Test Oath with an explanation, 260, 261 ; committed to prison, 263 ; difficulty in getting advocates to plead for him, 266 ; trial, 268-277 ; escape from prison, 277 ; adventures on his journey to London, 280 ; lies hid in London, 294 ; joins in Rye-House conspiracy, 301, 312 ; relations with Lord Granard, 303 ; escapes to Holland, 304 ; petitions Charles II, 307 ; his

letter in cipher, 316; financial difficulties, 321; life in Holland, 322; prepares to invade Scotland, 327; his papers at home seized, 328; makes overtures to Monmouth, 329-331; plans for his expedition, 331, 332; jealousy of Monmouth, 333, 334; removes to Amsterdam, 334; appointed General of the rebel forces, 336; sends Pringle and Veitch to Scotland, 338; some of his principal associates, 339-342; sets sail from Holland, 343-345; disaster in Orkney, 350-352; lands in Islay, 354, 355; lands at Campbeltown and publishes *Declaration* and personal statement, 357-363; jealousy of his colleagues, 366; proceeds to Tarbert, 370; his vacillation, 370-374; crosses to Bute, 374, and thence to Castle Toward, 376; decides to occupy Ellan-Gheirrig, 378-381; operations on mainland, 382-392: disguises himself, 393; taken prisoner, 394-396; taken to Renfrew, thence to Glasgow, 396, 399; taken to Edinburgh, 401-403; peculiarity of his legal standing, 403, 404; torture threatened but not applied, 404-408; sentenced to death, 409, 410; serenity of his mood, parting with friends, last hours, 410-417; scene on the scaffold and death, 417-422; estimate of his character and career, 422-424; letter to Sir Colin Campbell, 7; to Henrietta Maria, 22; to Lord Wilmot and Charles II, 44, 307; to Lauderdale, 83, 84, 155; to his sons, 413, 414; to Lady Sophia Lindsay and his wife, 416; to the Laird of Lupe, 433.
Argyll, Archibald Campbell, 10th Earl and 1st Duke of. *See* Lorne, Lord.
Argyll, Archibald Campbell, 3rd Duke of, 428.
Argyll, (1) Countess of, 14, 25, 71, 72, 81, 83n, 119, 154, 155.
Argyll, (2) Countess of, 14, 171-176, 281, 313, 314, 320, 355, 356, 403, 411, 413, 416, 426.
Argyll, John Campbell, 2nd Duke of, 81, 427, 428.
Argyll, John Campbell, 4th Duke of, 154n.
Argyll, Marchioness of, 3, 11, 31, 220n.
Argyll Estates, 131, 132, 170, 251, 257, 281, 321, 328.
Argyllshire, 46, 68, 328.
"Argyll's Lodgings", 249.
"Argyll's Stone", 395.
Arondeaux, Robt., 426n.
Articles of Agreement, Lord Lorne and Major Gen. Deane, 33.
Atholl, Marquess of, 212, 304, 328, 349, 353-355, 370, 372, 376, 382, 383, 386, 387, 400, 425.
Ayloff, Colonel, 334, 340, 367, 390, 399.
Ayr, 141, 212, 368.
Badenoch, 54, 56, 58, 59.
Bailie of Islay. *See* Campbell, Hugh.
Baillie, Robt., 36n, 59, 91, 95, 164.
Baillie, Robt., of Jerviswood, 311.
Balcarres, Countess of. *See* Argyll, (2) Countess of.
Balcarres, 1st Earl of, 43, 59, 154n, 172, 173, 321, 426.
Balcarres, 2nd Earl of, 174.
Balcarres, 3rd Earl of, 172-174, 176, 314, 416, 426, 427.
Balfour, Geo., of Kinloch, or Burley, 230, 341.
Ballantyne, Sir Wm., 158.
Balloch, Castle of, 6.
Balmaclellan, 140.
Barclay, Geo., 368.
Barillon, 407.
Bathgate, 143.
Battersea, 293.
Baxter, Richard, 165, 173, 174.
Belhaven, Lord, 256.
Berkshire, Earl of, 118.
Berwick, 286.
"Billetting Act", 127.
"Birch", 318.

Bishops, appointment of in 1661, 111-114 ; creatures of the Government, 111, 125 ; their dread of Lauderdale, 129, 130 ; their power diminished, 149-152, 168 ; suggestion of accommodation with Presbyterians, 180 ; their approval of coercion, 182n, 210, 211, 298.
" Bishops' Curates ", 161.
Bittlestone, Mr, 288, 289.
Bittlestone, Mrs, 288, 289.
Bittlestone, Mr John, 289.
Blackader, John, 192, 339.
Blackader, Wm., Dr., 193, 339, 350, 351, 381, 382.
Black Cart, 395.
Blair, Robt, 91.
Blood, Colonel, 293.
Bog of Gight, 81.
Bolsover, 292.
Bond, The, 211.
Borthwick, Mr, surgeon, 155.
Bothwell Bridge, insurrection of, 229-239, 246, 323, 329, 330.
Bothwell Bridge, Battle of, 236-238.
" Brand ", 318.
Breadalbane, Countess of. *See* Campbell, Lady Mary, Countess of Caithness.
Breadalbane, Earl of, 5, 425.
Brentford, 295.
Bride of Lammermoor, reference to, 205.
Bristo Port, 278, 280.
Broghill, Lord, 77-79.
Bruce, Andrew, Bishop, 260.
Buckingham, Duke of, 118.
Bunyan, *Pilgrim's Progress*, references to, 273, 396.
Burke quoted, 397.
Burnet, Alexander, Archbishop, 151, 162, 163, 165, 168.
Burnet, Gilbert, Bishop, quoted, 13, 27, 86, 105, 106, 118, 121, 129, 140n, 152, 163, 186, 208, 215, 221n, 249, 275, 400, 407.
Burton, J.H., quoted, 323.
Bute, 372, 374-376.
Bute, sheriff of, 232.
" Butler, Mr ". *See* Spence, William.
Bytter, Skipper, 381n,
Caithness, Countess of. *See* Campbell, Lady Mary.
Caithness, Earl of, 231, 232.
Cameron, Richard, 246, 247.
Cameronians, Declaration by, 324.
Campbell, Lady Annabella, Countess of Lothian, 3.
Campbell, Lady Anne, Countess of Lauderdale and Countess of Moray, 81n, 154, 220, 427.
Campbell, Lady Anne, d. of Marquess of Argyll, 4, 30.
Campbell, Archibald, 15.
Campbell, Archibald, Earl of Argyll. *See* Argyll.
Campbell, Charles, 154n, 174, 336, 353, 369, 370, 374, 376, 400, 425, 426.
Campbell, Colin, 154n.
Campbell, Sir Colin, 8th Laird of Glenurquhay, 5, 7, 8, 10, 11.
Campbell, Duncan, 7.
Campbell, Sir Duncan, 45, 174, 353, 370, 393, 400, 425, 426.
Campbell, Hugh, Bailie of Islay, 354.
Campbell, Lady Henrietta. *See* Lindsay, Lady Henrietta.
Campbell, Lady Isabella, 116.
Campbell, Lady Isabella, 5.
Campbell, Lady Isabella, 154n.
Campbell, James, 154n, 356, 414, 431.
Campbell, Sir James, 401, 426.
Campbell, Lady Jane, Countess and Marchioness of Lothian, 4, 131, 411.
Campbell, Lady Jean, Marchioness of Lothian, 154, 193, 320, 411.
Campbell, John, 432.
Campbell, John, of Mamore, 154, 321, 336, 393, 400, 414, 417, 425.
Campbell, John, Duke of Argyll. *See* Argyll.
Campbell, Lady Juliana, 5.
Campbell, Lady Margaret, 71, 154n.
Campbell, Lady Mary, 154n.

Campbell, Lady Mary, Countess of Caithness, and of Breadalbane 5, 131.
Campbell, Lord Neil, 4, 16, 19, 87, 198, 328, 356.
Campbell, Sir Neil, 380.
Campbell, Lady Victoria, 116.
Campbeltown, 357, 359, 360, 363, 369.
Candlemaker Row, Edinburgh, 280.
Canongate, Edinburgh, 26, 250, 402.
Cargill, Donald, 246, 247, 289.
Carnassery, Castle, 353, 425.
"Carolina Project", The, 308.
"Carr, Mr," *See*, Argyll, 9th Earl of.
Carrick Castle, 33, 72, 374, 375.
Cars Creoch, 306.
Carstares, Wm., 308-310, 318, 319, 348.
Cassilis, Earl of, 218.
Case of the Earl of Argile, 560.
Castle Campbell, 41.
Castle Toward, 376.
Castlemaine, Countess of, 117, 131, 164.
Catastrophe Mundi, 334.
Cawdor, Campbells of, 354.
Cellini, Benvenuto, 133.
Charenton, 21.
Charles I, political troubles during his reign, 9, 12, 13, 15, 187, 225, 234 ; signs safe-conduct, 21 ; tries *Sortes Virgilianae*, 80n ; oppressive policy in Scotland, 89, 101 ; Lauderdale's responsibility for surrendering him to the English, 117n ; grant of Spanish wreck, 133 ; his whipping-boy, 166.
Charles II, proclaimed in Edinburgh, 24 ; comes to Scotland, 26 ; relations with Lord Lorne, 27 ; crowned at Scone, 29 ; defeated at Worcester, *ibid* ; Restoration of, 84 ; treachery towards Marquess of Argyll, 85 ; relations to Church of Scotland, 96, 97, 100, 105-112 ; Lord Lorne's affair, 119-121 ; the Billetting Act, 128 ; debt to the Marquess of Argyll, 132 ; opinion of Conventicle Act, 179 ; hinders introduction of a liturgy, 187 ; takes Lauderdale's part, 188, 189 ; approves of Argyll's conduct, 199 ; again defends Lauderdale, 200 ; proclamation regarding condition of Scotland, 207 ; approves of Lauderdale's administration, 218, 220 ; Bothwell Bridge rebellion, 234, 238 ; illness of, 241 ; question of oath of allegiance, 243 ; relations with Argyll, 268-270, 275, 296, 299 ; plot against, 300-305 ; refuses Dalrymple an audience, 306 ; petition from Argyll, 307 ; Rye House Plot, 311, 312 ; examination of Spence, 312, 313 ; death of, 329, 359 ; letter to Douglas, 97 ; letters to Lauderdale, 189, 219 ; letter to Scotch Privy Council, 199 ; letter to Argyll, 70, 270.
Charlotte, The, 381.
Charteris, Lawrence, 414, 417-419.
Chiesley, John, 266n.
Ciphers used by Argyll, 312, 318.
Clarendon, Earl of, 28, 37, 104, 105, 118, 120, 122, 150, 340, 399.
Claverhouse. *See* Graham, John.
Cleland, Wm., 228.
Clown, 292.
Cobbett, Colonel, 42, 51.
Cochran, Sir John, 322, 336, 339, 346, 351, 372, 375, 378, 379, 386, 390, 393, 398, 399, 401, 411.
Cochran, Lord, 377.
Coke, Lady Mary, 172n.
Colinton, 143.
Collington, Lord, 268, 272.
Commissioner, Royal, Middleton, 86, 98, 130 ; Rothes, 131, 151 ; Lauderdale, 163, 167, 184, 187, 200, 209 ; Duke of York, 248.
" Commissioners of Perthshire ", etc., 10.
" Conallie's Stone, St. ", 395.
" Condé, The Great ", Louis II, Prince of Condé, 20, 226.

Confession of Faith (1567), 253.
Conti, Prince of, 21.
Conval, St., 395.
Conventicle Acts, 165, 177, 178, 185.
Convention of Estates, 219.
Coulport, 387.
"Council's Curates", 161.
Covenant, National, 9, 88, 254, 428.
Covenant, Solemn League and, 18, 29, 88, 91, 254, 271, 428.
Cowall, 376.
Craigmillar Castle, 280, 284.
Crawford, —, 41.
Crawford, Earl of, 109.
Crawford, Thomas, 397.
Crawfordsburn, 397.
Creede, Major, 50.
Crichton, Captain, 198.
Crofts, Mr, 351.
Cromwell, Oliver, invades Scotland, Battle of Dunbar, 28, 390; Battle of Worcester, 29; rising in Highlands in 1653, 42; dissolution of Long Parliament, 55n; proclaimed Protector in Edinburgh, 65; ratifies Agreement with Lord Lorne, 73; government by espionage, 77; death, 82; visit to Edinburgh in 1648, 86; his opinion of Sharp, 91; friendship with Countess of Dysart, 166; Battle of Preston, 173.
Cromwell, Richard, 82.
"Crows' Feet", 66.
Cumbrae, The Greater, 375.
Cumnock, 142.
Cunningham, Dr, 155.
Cunninghame, Sir John, 194.
Dalkeith, 2, 240.
Dalmahoy, —, 130n.
Dalnaspidal, 67.
Dalry, outbreak at, 140.
Dalrymple, Sir James, afterwards 1st Viscount Stair, sympathy with Presbyterian party, 192, 206, 423; repudiates Women's petition, 192; his interesting personality, 205; supports Argyll, 250; secures definition of Protestantism in the Test Act, 253; dismissed from Court of Session, 258; defended by Lauderdale, 299; retires to Holland, 306, 312.
Dalrymple, Sir John, 255, 266, 272, 306.
Dalziel, General, 141-146, 226, 235, 246, 315.
Dalziel, Lieutenant, 223.
Danby, Earl of, 212, 222.
Danton, quoted, 400.
Dartmouth, Lord, 274.
David, The, 343, 345, 346.
Deane, Major-General Richard, 33, 35.
"Declaration of Rights", 358.
"Declaration, The", at Campbeltown, 267, 357-362, 364.
Diary of Lady Henrietta Campbell, 174.
Dickson, David, 15n.
Dingwall, 66.
Diodati, John, 19.
Dolphin, The, London Inn, 303.
Doncaster, 291.
Donibristle, 427.
Dornoch, 63.
Douglas, 142.
Douglas, Robt., 91, 97, 103, 105, 161, 185.
Douglas, Thomas, 227, 228.
Douglas, Wm., 4.
Douglas, Lord Wm., 14.
Douglas, Wm., 1st Marquess of, 14n.
"Drag-net, The Bishops'", 136.
"Drinking Parliament, The," 99, 138.
Drumclog, Battle of, 227-229, 236.
Drummond, Patrick, 102, 103.
Duart Castle, 198, 354.
Duffus, 1st Lord, Alexander Sutherland, 119.
Dumbarton, 375, 389.
Dumbarton, Sheriff of, 232.
Dumbarton, Earl of, 387, 396.
Dumfries, Synod of, 107.
Dunbar, Battle of, 28, 340, 390.
Duncanson, Captain, 393.
Dundee, 62.

Dundee, Viscount. *See* Graham, John.
Dundonald, Earl of, 339, 399, 401.
Dunkeld, 228.
Dunolly Castle, 35.
Dunoon, 155.
Duns Law, 12.
Dunstaffnage Castle, 35, 51, 353.
Duntreath Castle, 390.
Dunvegan, 72.
Dysart, Countess of. *See* Moray, Elizabeth.
Ederline, 353.
Edinburgh Castle, 79, 80, 121, 128, 131, 263, 268, 277-280, 355, 394, 402, 405.
Edinburgh, Presbytery of, 97, 109.
Edinburgh Tolbooth, 277, 355, 410, 425.
Edwards, Captain, 41.
Eleves, Mr, 327.
Elizabeth, Queen of Bohemia, 116.
Ellan-Gheirrig, 376, 378-386.
Elphinston, Graeme, 377, 385.
Epictetus, quoted, 164n.
Episcopacy, 9, 19, 88, 93, 96, 104, 108, 110, 113, 123, 167, 180, 182, 194-196, 206, 249.
Errol, Earl of, 251.
Erskine, Hon. John, 363.
Essex, Earl of, 30 , 301, 304, 311.
Estates, Committee of, 98.
Exclusion Bill, 299, 300.
Exposition of the Catholic Epistles, D. Dickson, 16n.
Fagel, Pensionary, 382.
Fairfax, Lord, 79.
Fairfoul, Andrew, Archbishop, 113, 124, 125.
Falcon, The, 381.
Falkirk, 231, 401.
Falkland, Lord, 80n.
Ferguson, Robt., 331.
Fleming, George, 341.
Fletcher, John, of Salton.
Fletcher, Sir John, Lord Advocate, 86.
Florencia, The, 132-135.
Forbes, Sir Arthur, Viscount Granard, 43, 45, 63, 213, 302-304.
"Forbes, Captain". *See* Veitch, Wm.
Forrester, Thomas, 360, 374.
Forret, David, 173.
Forret, Lord, 268, 272.
Fortune, The, 41.
"Fostering", 5.
Fountainhall. *See* Lauder, Sir John.
Francis I, 133.
Francis, The, 376.
Fronde, War of the, 20.
Fullarton, Major, 377, 393-395.
Galashiels, 284.
Gala Water, 284.
Galloway, 140, 368, 393.
Gareloch, 387, 388.
Gaunt, Mrs, 281.
General Assembly dispersed, 90.
"German Painter", 6.
Girvan, 364.
Glapwell Hall, 292.
Glasgow, occupied by Dalziel, 141; attacked by rebels, 231 ; exempted from 3rd act of indulgence, 240; a military centre in 1685, 349; rebels aim at seizing, 387-390, 392, 393 ; rebels brought into, 399.
Glasgow University, 15, 16.
Glencairn, Earl of, interim Commander of Royalist forces in 1653, 37, 269; Highlanders jealous of him, 49; relations with Lord Lorne, 57-61, 67, 73; superseded by Middleton, duel with Monro, 64; capitulates to Monck, 65 ; secret intrigues, 75-77, 79 ; made Lord Chancellor, 98, 108; death, 151 ; letter to Captain Hill, 55 ; letter to Lord Lorne, 61, 76, 269, 270; alleged letter to Hyde, 105.
Glen Croe, 388.
Glendaruel, 382, 385.
Glengarry, Macdonald of. *See* Macdonald.
Glenurquhay, 5-7, 45.
Glenurquhay, Laird of. *See* Campbell, Sir Colin.
Gordon, Alexander, 322.
Gordon Castle. *See* Bog of Gight.
Gordon, Duke of, 349, 425.
Graemesay, 351.

Graham, Captain, 402.
Graham, John, Claverhouse, Viscount Dundee, 202, 225-230, 273, 306, 325, 326.
Granard, Viscount. *See* Forbes, Sir Arthur.
Grassmarket, Edinburgh, 280.
Greenock, 377, 379.
Grey, Lord, 235, 301, 310, 338.
Gulliver's Travels, quoted, 151.
Hackett, James, of Pitfarren, 82n.
Halifax, Earl of, 275, 313.
Halket, Col. Robt, 139.
Hall, John, 399n.
Hallam, H., quoted, 126.
Hallowes, Samuel, 292n.
Hamilton, 231, 235.
Hamilton, Lady Anne, 14.
Hamilton, Captain, 375.
Hamilton, 1st Duke of, 13, 14, 173.
Hamilton, 2nd Duke of, 130n.
Hamilton, 3rd Duke of, 109, 170, 186, 188-190, 195, 218, 297, 299.
Hamilton, James, 113.
Hamilton, Robert, 227, 228, 236-238.
Hampden, Richard, 300, 312.
"Hannibal." *See* Rumbold, Richard.
Hartfield, Earl of, 107.
Helder, 343.
Henderson, Major, 382.
Henrietta Maria, Queen, 22.
Heriot's Hospital, 282.
"Highland Host, The," 210-216, 219.
Hill, Captain, 54, 56, 60.
Holbourne, Major-General James, 82n.
Holland, war with, 36, 47, 62, 65, 138, 181, 190.
Holmes, Major, 294, 312, 313, 319.
Holwell, John, 334.
Holyrood House, 258.
Home, Lady Anne, 83n.
Home, Lady Margaret, 83n.
Honeyman, Andrew, Bishop, 159.
"Hope, Mr." *See* Argyll, 9th Earl of.
Horsley, George, 287.
Houston, John, 377.
Howard, Lord, 300, 311.
Howard, Thomas. *See* Berkshire, Earl of.
Hume, Sir Patrick, Earl of Marchmont, 332-337, 339, 346, 351, 367, 375, 378, 379, 382, 386, 388-391, 392n, 399, 411.
Huntly, 2nd Marquess of, 18, 57, 58, 81, 251.
Huntly, 3rd Marquess of, 251, 387.
Hyde, Edward. *See* Clarendon, Earl of.
Inchinnan, 394.
"Incident, The," 13.
Indulgence, Acts of, 160, 167, 184, 240, 241.
"Intercommuning, Letters of", 201, 283.
Inveraray, 7, 11, 32, 33, 46, 53, 155, 328, 353, 370-372, 382, 383, 400.
Inverlochy, Battle of, 26.
Inverlochy, Castle of, 66.
Inverness, 62.
Inverness, Sheriff of, 232.
Irvine, Earl of, 15.
Irvine, Lieutenant-Colonel, 69n.
Islay, 352, 354, 355.
James II. *See* York, Duke of.
James V, 352.
Jamesone, George, 6.
"Jamie Wylie". *See* Stewart, James.
Jeffries, Judge, 319, 320.
Journal, Hon. John Erskine's, 363.
Kelso, 286.
Kenmore, Lord, 49-51, 54, 57.
"Kenmore's Drum," 50.
Kilconquhar, 173.
Killarrow, 354.
Killearn, 390.
Killin, 44.
Kilmaronock, 389.
Kilmartin, 72.
Kilmun, 155, 426.
Kilpatrick, 392, 393, 398.
Kilsyth, Battle of, 173, 390.
Kincaid, Dr, 8.
Kincairn, 35.
Kincardine, Earl of, 150, 188.
King, Mr, 229.
"King's Curates", 161.

Kingfisher, The, 375, 381.
Kintyre, 51, 57, 148, 354, 356-370, 372.
Kirkhouse, Lord, 268, 272.
Kirkwall, 350-352.
Kyles of Bute, 376, 379-381, 384.
Lanark, 142.
Lapness, 377.
Largs, 375, 376.
Laud, Archbishop, 89, 101.
Lauder, 278, 284.
Lauder Fort, 284.
Lauder, Sir John, of Fountainhall, 266, 282, 335.
Lauderdale, (1) Countess of, 116, 166.
Lauderdale, (2) Countess and Duchess of. *See* Moray, Elizabeth.
Lauderdale, Countess of. *See* Campbell, Lady Anne.
Lauderdale, Earl and Duke of, general character of, 2 ; on Argyll's tricks of manner, 16 ; liberated in 1660, 83 ; accepts Episcopacy, 91 ; becomes Secretary of State, 98, 102, 104, 109 ; forms alliance with Lady Castlemaine, 117 ; befriends Lord Lorne, 119, 120 ; hostility between him and Middleton, 122, 127-131, 151 ; friendship with Argyll, 153-155; becomes Royal Commissioner and presides in Parliament, 163-172 ; severity against Conventicles, 178, 179 ; holds another session of Parliament and is confronted by a strong opposition, 184-187, 190, 194-196 ; attempt to impeach him, 200, 201 ; desirous of bringing in a 3rd Indulgence, but unable, 206-209 ; sends Highland Host into the West, 211-214; charges brought against him, 218-222, 234 ; question as to Duke of York and the oath of allegiance, 242-244 ; excommunicated by Cargill, 246 ; resigns his office of Secretary, 247, 248 ; seat at Lauder, 284 ; death, 296 ; troubles of his last days, estimate of his career, 296-299 ; other notices of, 302, 416, 422, 423.
Lauderdale, Duchess of. *See* Moray, Elizabeth.
Lauderdale, Richard, 4th Earl of, 154n, 220.
"Leasing-making", 119.
Leeds, 290.
Leighton, Robert, 113, 163, 165, 179-181, 196, 205.
Leith, 375, 381.
Leith, Links of, 231, 245.
Lennox and Richmond, Duke of, 133.
Leeuwarden, 322, 323.
Leslie, Alexandsr, 1st Earl of Leven, 12, 18, 31.
Leslie, David. *See* Newark, 1st Lord.
Leslie, George, 71.
Leslie, Margaret, 154n.
Lesmahagow, 142, 223, 399.
Leven, river, 389.
Lewis, The, 41, 42n, 352.
Life-Guards, 26, 139, 268.
Lilburne, Col. Robt, 40, 43, 47-49, 51, 52, 60, 62.
Lindsay, Lady Anna, 174.
Lindsay, Lady Henrietta, 174, 193, 393, 401, 411, 413, 416, 426.
Lindsay, Lady Sophia, 154n, 174, 192, 278-281, 287, 295, 355, 356, 416, 426, 427.
Linlithgow, Earl of, 229, 231, 232, 238.
Livingstone, Mrs., 191.
Loch. *See* Lochheid.
Lochaber, 43, 57.
Loch Fyne, 382.
Loch Garry, 67.
Loch Goil, 374.
Lochheid, 35.
Loch Long, 384, 386-388.
Loch Riddon, 376, 380, 382, 383, 385.
Loch Striven, 386.
Lochwinnoch, 398.
Lockhart, Mr., 400n.
Lockhart, Sir George, 194, 250, 266, 271.

Lockhart, Sir Wm., 78.
Lockyer, Captain, 293.
Loigie, the Younger, 434.
Long Horsley, 285.
Long Parliament, dissolved, 55n, 62.
Lorne, 353.
Lorne, Lord, afterwards 10th Earl and 1st Duke of Argyll, 81, 154n, 220, 281, 299, 303, 313, 321, 356, 414, 426, 427.
Lothian, 2nd Earl of, 3.
Lothian, 3rd Earl of, 4, 71, 82n.
Lothian, 2nd Marquess of, 154n, 320.
Loudoun, 1st. Earl of, 20, 21, 44, 68.
Loudoun, Lord, 6.
Louis XIII, 15.
Louis XIV, 222, 426n.
Lowland planters in Kintyre, 52, 148, 356.
Lupe, Laird of, 434.
Lyme, 385.
Macaulay, Lord, quoted, 276, 331, 347, 348, 377, 422.
Macdonald, of Glengarry, 40, 49, 59, 63, 64, 73, 198, 233.
Mackenzie, Sir George, on Scotch Episcopacy, 111; on Glasgow Act 124; appointed Lord Advocate, 202; estimate of his career, 202-204, 218; protests against illegal action of Duke of York, 242, 243; excommunicated by Cargill, 246; procedure in Parliament of 1681, 250, 251, 256; prosecutes Argyll, 264, 266, 271-273; threatens to prosecute Dalrymple, 306; upbraided by Argyll, 409.
Macdonalds, "Lords of the Isles", 354.
McEachan, Charles, 434.
Mackenzie, Capt. Kenneth, 376.
Mackenzie, Murdoch, Bishop, 350.
Maclean, of Mull, 197, 233.
Maclean, John, 7, 8.
Maclellan, John, of Barscobe, 140.
Magdalen's, St., Church, Edinburgh, 191.
Magus Muir, 224, 341.
"Maiden The," 420.
Maitland, Captain, 78.
Maitland, Lord, 220, 314, 416, 421.
Marchmont, Earl of. *See* Hume, Sir Patrick.
Marston Moor, Battle of, 18, 173.
Mary of Modena, Queen, 244, 248.
Massacre of Glencoe, 5, 54.
Mauchline, Lord, 20.
Mauld, James, of Melgund, 134.
Mazarin, Cardinal, 20.
Melrose, 286.
Menteith, Earl of, 326.
Mermaid, The, 381.
Meynes, Colonel, 59.
Michell, John, 84.
Middleton, John, 1st Earl of, early career of, 37; procedure during Highland Rising in 1653, 63-67, 75; satisfaction with Lord Lorne's conduct, 70, 72; Royal Commissioner in Scotland, 86, 98-101; relations with Sharp, 102-105, 108, 109; Lauderdale's hostility towards him, 117; covets Argyll's property, 118; prosecution of Argyll for "leasing-making", 118-122; Glasgow Act, 123, 126; misgovernment of Scotland, 126, 127; Billetting Act, 127; superseded as Royal Commissioner, 128; downfall and death, 129, 130; other notices of, 160, 269, 270, 297; letters to Lorne, 72, 73.
Militia Act, 169.
Millburn Grange, 287.
Mitchell, James, 159, 202n, 223.
Monck, George, 1st Duke of Albemarle, 47, 63, 65, 66, 68, 75, 77, 81, 82, 87, 96, 105.
Monmouth, Duke of, relation to Shaftesbury, 234; campaign in Scotland, 236, 238; promotes 3rd Act of Indulgence, 240, 241; dismissal of, 242; excommunicated by Cargill, 246; Rye-House Plot, 300, 301, 303, 304, 311; conspiracy against James II, 329, 337, 349; relations with

Argyll, 333-335, 337, 358, 359, 367, 368, 370, 372, 382, 385, 406, 426n, 433; letter to Spence 330.
Monro, Sir George, 63, 64.
Mons Meg, 248n.
Montrose, 1st Marquess of, 18, 24, 37, 65n, 225, 390, 402, 426.
Montrose, 2nd Marquess of, 26, 59, 118.
Montrose, 3rd Marquess of, 26, 273.
Montgomery, Major-Gener. Robt., 139.
Montgomery, of Skelmorlie, 416.
Moray, Countess of. *See* Home, Lady Margaret.
Moray, Countess of. *See* Campbell, Lady Anne.
Moray, 4th Earl of, 25.
Moray, 5th Earl of, 212, 247, 257.
Moray, 7th Earl of, 154n.
Moray, Elizabeth, Countess of Dysart, Duchess of Lauderdale, 165, 166, 171, 184, 299.
Moray, Sir Robt., 38, 170.
Moray, Wm., 165.
Moray House, Edinburgh, 25, 71.
More, Sir Thomas, reference to, 421.
Morgan, Colonel Thomas, 66, 67.
Morpeth, 285.
Morris, William, quoted, 403.
Morton, 9th Earl of, 3, 8.
Mouat, Mr, 351.
Muirdyke, 398.
Muirkirk, 142.
Mull, 197-199, 313.
Musselburgh, 240, 353.
Nairn, Lord, 268, 272, 273.
Naphthali, 145n.
Narrative of Occurrences in the Expedition of the Earl of Argyll in 1685, 333.
National Synod, proposed, 195.
Neill, Margaret, 7.
Newark, 1st Lord, David Leslie, 154n.
Newbattle Abbey, 2, 284, 426.
Newbattle, Lady. *See* Campbell, Lady Jean, Marchioness of Lothian.
Newburgh, Lord, 120.
Newburn, 288.
Newcastle, 287.
Newton, Lord, 268, 272.
Nichol, Capt. F., 72.
Nithsdale, 325.
North Sea Canal, 343.
Nottingham, 292.
Oates, Titus, 222.
Oath, imposed on Scotch Royalists, 79.
Old Mortality, reference to, 230.
Orkney, 238, 349-352.
Orkney, Bishop of. *See* Mackenzie, Murdoch.
Orkney, Earl of, 352.
Ormond, Duke of, 109.
Otho, saying of, 36n.
Oudwoude, 322.
Ovid, quoted, 164n.
Paisley, 378.
Parbroath, Lord. *See* Crawford, Earl of.
Parliament of Paris, 20.
Parliament, Scotch, 99, 167, 184, 189, 250.
Parliament, 1st of James VI, 253.
Paterson, John, Bishop, 210, 255, 260.
Pentland Hill, rising of, 140-145, 269, 298, 329.
Perth, 66.
Perth, Earl of, 212.
Perthshire, 10.
Pewter-Pot, The, London Inn, 312.
Philip II, 133.
Plato, quoted, 164n.
Plautus, quoted, 164n.
Popish Plot, The, 222, 232, 297, 299.
Plume of Feathers, The, Inn at Nottingham, 292.
Preston, Battle of, 14, 32, 173.
Pringle, George, of Torwoodlee, 278, 284, 285, 338, 339.
Pringle, Mrs, 285.
Protesters, 36, 89, 91, 109.
Provost of Stirling, 192, 193.
Pym, John, 299.
Queensberry, Earl of, 107, 268, 272, 404.

Ralston, Wm., 139.
Reade, Colonel, 50.
" Red, Mr.". *See* Carstares, Wm.
Reformed Churches on the Continent, 19, 20n.
Reidsdale Head, 338.
Remonstrance of the Western Army, 89.
Remonstrance of Archbishop Burnet, 162.
Renan, Ernest, quoted, 99n, 110n.
Renfrew, 395, 396.
Rescissory, The Act. *See* Act Rescissory.
Resolutioners, 35, 89, 109.
Richelieu, Cardinal, 15.
Riddell, John, 395.
Rising in Highlands, 1653, 43-73, 90, 173, 269, 302.
Rollo, James, Lord, 82n.
Rosneath, 76, 155.
Rotherham, 290.
Rothes, Earl and Duke of, 51n, 131, 146, 151, 152, 191, 246.
Rothesay, 374, 376.
Rothesay Castle, 374.
Rotterdam, 149, 322, 331, 334.
Roxburgh, Earl of, 262.
Rullion Green, Battle of, 144.
Rumbold, Richard, 300, 304, 311, 312, 334, 340, 368, 382, 391, 392, 399.
Rumsey, Colonel John, 300.
Russell, Lord, 300, 301, 304, 309-311.
Rutherglen, 227.
Ruthven, Castle of, 54, 60, 66.
Rye-House Plot, The, 300, 308-311, 323, 337, 340. 399.
Sadell, 148.
Sandreford, 312.
"Sanquhar Declaration, The," 246.
Scone, 29.
Scotland, as it was and is, reference to, 51n.
Scougal, P., Bishop, 260.
Scots Grays, 226.
Scots Guard, The, 15.
Scott, Mr, 277, 284, 285.
Scott, James, 285.
Seaforth, Earl of, 41, 173.
Selkirk, 349.
Selkirk, Earl of. *See* Douglas, 1st Marquess of.
Seneca, quoted, 164n.
Senef, Battle of, 226.
Shaftesbury, 1st Earl of, encourages Opposition in Scotland, 186, 188; gains ascendancy in England, 222; indisposed to coerce Scotch Whigs, 234; his influence declines, 241, 242; verdict at his trial, 274n, 300; still powerful in London, 283; interested in Argyll's movements, 295; interview with Argyll, 301, 302; flight to Holland and death there, 304, 305, 309.
Sharp, James, Archbishop, agent of the Resolutioners, 90; procedure in Ecclesiastical changes of 1660-1661, 94-98, 102-106, 109; appointed Archbishop of St Andrews, 112-114; his mistaken policy, 123; objects to the Glasgow Act, 125; comes into conflict with Lauderdale, 129; attitude towards the rebels 143; relations with Argyll, 146, 147; falls into disfavour, 149-152; attempt to assassinate him, 159; attitude towards the Act of Supremacy, 167, 168, 173, 180; petition of women, 191; proposed National Synod, 194, 195, assassinated, 223; notices of his assassins, 228, 237, 341; letters to leading Resolutioners, 95-97; letters to Patrick Drummond, 102, 103; letter to Middleton, 104; letter to Charles II, 129; letter to General Dalziel, 143; letter from Charles II to him, 151.
Shaw, Sir John, of Greenock, 322, 396.
Sheldon, Archbishop, 113, 195.
Shetland Isles, 42n, 349.
Sidney, Algernon, 300, 304, 309, 311.
Skelton, Colonel Bevil, 347.

Skapa Flow, 350.
Skipness, 148 ; Laird of, 434.
Skye, 42n.
Smith, Mr, 293-296.
Smith, Mrs, 293-296, 412.
Smoogrow, 350.
Sophia, The, 343, 344, 372, 376.
Sortes Biblicæ, 80.
Sortes Virgilianæ, 80n.
Spanish Treasure, 132-135, 352.
Spence, Wm., 312-316, 318, 319, 330, 339, 350, 351, 381, 382, 403, 407.
St Abb's Head, 398.
St Andrews, 240.
Stafford, Lord, 297.
Stair, 1st Viscount. *See* Dalrymple, Sir James.
Stanton Hall, 285, 286.
Stevenson, R.L., reference to, 164.
Stewart, James, 267, 312, 357.
Stewart, James, 351, 352.
Stewart. Sir James, 267.
Stewart, Lady Margaret, 119.
Stewart, Lady Mary, *See* Argyll,(1) Countess of.
Stirling, 231, 240, 349, 389, 400.
Stirling, Provost of, 192, 193.
Stornoway, 42.
Stow, 284.
Strafford, Earl of, 170, 299.
Strathaven, 227.
Sutherland, Alexander. *See* Duffus, 1st Lord.
Sutherland, Willam, 119.
Swanbister Bay, 350, 352.
Sydserf, Thomas, Bishop, 112.
" Tables, The ", 10.
Tarbert, 35, 147, 369, 370, 372, 374.
Tarbert, Lord, 119, 120.
Taymouth Castle. *See* Balloch Castle.
Temple, Sir Wm., 234.
Test Act, The, 252-256, 282.
Teviotdale, 143.
Texel, The, Battle of, 47.
The Last Sleep of Argyll, 414.
Thirlestane Castle. *See* Lauder Fort.
Thurloe, J., 77.
Tobermory, 133, 352.
Tollemache, Elizabeth, 154n, 220.
Tollemache, Sir Lionel, 154n, 165.
Torschellung, 343.
Torwood, 246.
Torwoodlee, 274, 284.
Treileben, Hans Albricht van, 134.
Tromp, Admiral, 47.
Troqueer, 339.
Tunbridge Wells, 296.
Turner, Sir James, 140, 141, 158.
Tuscany, Grand Duke of, 133.
Tweeddale, Earl of, 150, 160, 171-173, 179, 188.
Union of Scotch and English Parliaments, 169.
Utrecht, 312, 322.
Van Citters, 347.
Van Dyckvelt, 347.
Veitch, Mrs, 286.
Veitch, Wm, 278n, 285-292, 294, 295, 303, 321, 337, 338.
Venetian Republic, 328.
Venice, 345.
Vindication of the Government of Charles II, 218.
Vlie, The, 343.
Vlieland, 343.
Wallace, James, Lieutenant Col., 26, 139, 141-145, 148-150.
Wallace, William, 149.
Walpole, Horace, quoted, 412n.
Walters, Lucy, 242, 359.
Water Gate, Edinburgh, 402.
Weigh House, Edinburgh, 280.
Westminster Assembly, 18, 107, 164.
West Bow, Edinburgh, 280.
Wester Pitcorthie, 320.
White Cart, 395.
William III, 220, 226, 304, 307, 339, 347, 348, 398, 401, 426n, 427.
Wilmot, Lord, 44.
Wimborne, St Giles, 305.
Wishart, Captain, 348.
Wishart, George, Bishop, 145.
Wodrow, quoted, 415.
Wogan, Colonel, 56n.
Wooler, 286.
Woolhouse, Elizabeth, 292n.
Woolhouse, Wm, 292.
Worcester, Battle of, 340.

Yetholm, 286.
York, Duke of, afterwards James II, claims right in the Spanish "treasure-ship", 134, 135; supports Lauderdale, 170, 211; retires to Continent, 222, 241; returns home, 242; visit to Scotland, 242-247; becomes Royal Commissioner and opens Scotch Parliament, 248; entertained by Argyll at Stirling, 249; hostile relations with Argyll, 251, 252, 255-266; zeal for the Test Act, 252, 253; motive in prosecuting Argyll, 274-277; regarding punishment of Lady Sophia Lindsay, 280; increasing influence with Charles II, 296, 297, 299, 300, 306; Rye House conspiracy, 301, 313, 316, 319, 320; becomes king, 329; conspiracy of exiles against him, 336, 340; receives news of Argyll's expedition, 347; referred to in Campbeltown *Declaration*, 357-359, 361, 362; speech to Parliament regarding rebellion, 364, 365; receives captured standard, 387; complains of conduct of Dutch Government, 398; pardons Cochran, 399; suggests torturing Argyll, 405-407; orders Argyll's execution, 409; medal on suppression of rebellion, 426n; refuses to reverse Argyll's attainder, 427.
Zuyder Zee, 343.

BOOKS BY THE SAME AUTHOR.

THE GREAT MARQUESS: *Life and Times of Archibald, 8th Earl, and 1st (and only) Marquess of Argyll (1607-1661).*

A second and cheaper edition, in demy, 8vo., 396pp. art-cloth, 5/- net.

Published by Messrs. Oliphant, Anderson, and Ferrier (Edinburgh and London.)

NOTICES BY THE PRESS.

"The high worth of the book is beyond question."—*Bookman.*

" Mr. Willcock has told a story that is in many parts new and in all enthralling "—*St. Andrew.*

" An able and scholarly work.... Every page bears evidence of care, thought, and research "—*Scotsman.*

" Mr. Willcock's book is an exceedingly valuable one. "—*Dundee Advertiser.*

" A notable contribution to Scottish History. "—*Edinburg Evening News.*

" The book is interesting from the first page to the last. "—*British Weekly.*

" A thoroughly conscientious and scholarly piece of historical investigation. "—*Manchester Guardian.*

" Mr. Willcock has proved his competency, his impartiality, and his good judgment..... never flagging in

the use of that grand style which a great subject demands."—*Expository Times.*

"It speaks volumes for the erudition and energy of the biographer that many points are now for the first time set right, that much controversy must henceforth be regarded as at an end. and that some dates hitherto universally accepted must be changed"—*Notes and Queries.*

"The Stirring and tragical times of the struggle of King and Covenant are set before us with a vividness and interest far surpassing many an historical romance." —*Daily Telegraph.*

"A dignified history in which the style is in keeping with the importance of its subject"—*Literary World.*

"Mr. Willcock has supplied a great want in Scottish literature and has made amends for a long continued neglect which has not been to the credit of Scottish patriotism or Scottish historical instinct"—*Critical Review.*

"The present volume..... happily devoid of specious literary whitewash"—*Pall Mall Gazette.*

"If some allowance be made for his point of view, it is not too much to say that Mr. Willcock has produced the most impartial, and also the most enlightening, of recent monographs on any portion of the story of the Great Civil War"—Prin. Miller in the *Madras Christian College Magazine.*

"The volume is one which no student of the period can very well afford to ignore"—*Paisley and Renfrewshire Gazette.*

Sir Thomas Urquhart of Cromartie, knight. (1611-1661)

Large crown, 8vo. 251 pp., cloth, extra illustrated. Also published by Messrs. Oliphant, Anderson, and Ferrier (Edinburgh and London).

NOTICES OF THE PRESS.

"Mr. Willcock's description of Urquhart as a kind of Don Quixote, both in letters and in politics, with a dash of Mr. Micawber in finance, and of Ancient Pistol in style, hits near the mark."—*Scotsman.*

"A sound piece of work and deserves hearty welcome as the first adequate attempt to introduce one of the strangest of our Scottish worthies to the general literary public"—*Glasgow Herald.*

"The book gives evidence of careful and unwearied research"—*Glasgow Evening News.*

"This is a charming book. Fresh and interesting in its subject-matter, clear and graceful in style, and elegant in its outward form, it is a real pleasure to have it in one's library"—*Northern Ensign.*

"Mr. Willcock has drawn a 'romantic, fantastical figure' and drawn it well"—*Daily News.*

"Many will be glad to have so delightful a portrait."—*St. Anrrew.*

"A careful and sympathetic study of his subject."—*Speaker.*

"Mr. Willcock's book bears witness on every page to painstaking and scholarly research"—*North British Daily Mail.*

"Written with charming literary grace."—*British Weekly.*

"Mr. Willcock has a proper sympathy with his hero, he writes well and clearly and has gathered within two covers all that we shall ever know of the author of *The Exquisite Jewel.*—*Spectator.*"

"An interesting, vivacious, and picturesque life."—*Notes and Queries.*

"Mr. Willcock has given us in his charming volume a vivid portrait of Urquhart."—*Westminster Review.*

"We like it with its little bits from Sterne, Jane Austen, Dickens, Heine and Lewis Carroll, its gentle raillery of Mrs. Grundy, the vegetarians, the anti-tobacco people, the teetotallers and its strictures even on the Covenanters."—*Athenaeum.*

"Sir Thomas Urquhart seems to have united in his own person the leading traits of the men of his epoch, and is a quaint mixture of the Admirable Crichton, Cyrano de Bergerac and d'Artagnan. Mr. Willcock's book is written with a certain amount of reticence, but deserves to be read by all Pantagruelists."—*Gentleman's Magazine.*

"The literary antiquary will cordially welcome Mr. Willcock's biography of Sir Thomas Urquhart."—*St. James's Gazette.*

"Mr. Willcock has written a delightful book on an amusing character"—*Bookman.*

A Shetland Minister of the 18th Century:

Being passages in the life of the Rev. John Mill (1712-1805) 2nd thousand, foolscap 8vo, 177 pp. cloth, 2s 6d.

Notices of the Press.

"We have read this little book with real pleasure, and we wish it well."—*Saturday Review.*

"John Mill was a character such as Robert Louis Stevenson would have rendered immortal, and that Mr. Willcock's well written sketch portrays with skill."—*Pall Mall Gazette.*

A curious phase of Scottish life and character.—*Standard.*

A most readable little book.—*Athenaeum.*

It is delightful to receive such a pretty book.....It depicts a striking and interesting character and phase of life.—*British Weekly.*

DA804.1 .A69
A Scots earl in Covenanting times
Princeton Theological Seminary–Speer Library
1 1012 00049 8651